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ARCHIVES OF MARYLAND //

LVI

PROCEEDINGS AND ACTS

OF THE

GENERAL ASSEMBLY OF MARYLAND

1758-1761

(26)

PUBLISHED BY AUTHORITY OF THE STATE UNDER THE DIRECTION OF THE
MARYLAND HISTORICAL SOCIETY

J. HALL PLEASANTS
Editor



BALTIMORE
MARYLAND HISTORICAL SOCIETY
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LETTER OF TRANSMITTAL.

Baltimore, December 1, 1939.

To the Maryland Historical Society,

GENTLEMEN:

This volume of the *Archives of Maryland*, containing the Proceedings and Acts of the General Assembly of Maryland from the autumn of 1758 to the spring of 1761, is presented to the Maryland Historical Society by your Committee on Publications, to which you have entrusted its preparation. It is Volume LVI of the general series, and the twenty-sixth volume of the sub-series dealing with Assembly affairs. It covers all the proceedings of the six sessions of the Assembly, the Lower House of which had been elected by the people in September, 1758. This Assembly terminated its existence when Governor Sharpe and his Council dissolved it in the autumn of 1761, and ordered the issuance of writs for the election of a new lower chamber. Almost no new legislation of a controversial character was enacted by it, except when in a single instance, to save the pockets of members of both the Proprietary and popular parties about to be hit by an additional land tax, both houses reluctantly agreed upon a compromise measure. The laws which were passed were in great part acts which continued in force laws of a non-controversial character about to expire by time limitation. There was a marked reduction in the number of messages and addresses which passed between the Governor and the Upper House on one hand and the Lower House on the other over controversial legislation. Each side had had its say on these questions at recent preceding sessions. Occasionally, however, the Governor, taunted beyond endurance by the ill manners of the Lower House, responded in a message with proper spirit.

The period covered by these Assembly records, the four mid-years of the Seven Years' War, opens just after there had been a turn for the better for the British in the fortunes of war. The low point for Britain in the war in America had been reached on July 8, 1758, with the ignominious defeat of Abercrombie by Montcalm at Ticonderoga. But there was a rapid change for the better when Amherst on July 27th captured Louisburg on Cape Breton Island, and this was followed on September 13th by the fall of Quebec to Wolfe. These victories gave the control of Canada and the Great Lakes to the British. The success of the expedition across Pennsylvania under Brigadier-General John Forbes, in which five hundred Maryland troops took part, resulted in the abandonment of Fort Duquesne by the French and wrested from them the control of the Ohio.

These victories were, however, to have an untoward result in Maryland, for relief from the threat to its frontiers by the French and Indians was to make the Lower House even more truculent and less willing to contribute to the support of the war. Military events in the south now settled into a condition of stagnation which lasted until the end of the war, although the treaty

of peace was not finally signed until February 15, 1763, nearly two years after the close of the period covered by these Assembly proceedings. The Lower House continued stubbornly to refuse military aid unless political concessions were made by the Proprietary. Nor did the sharp reminder of Amherst that the more complete the victory of the British arms, the more advantageous would be the terms of peace, induce the Lower House to yield one tithe. The failure of Maryland and other colonies to make an adequate contribution to the cost of the defense of their frontiers was later to have far-reaching results, as the Stamp Tax imposed in 1764 by the British government was an attempt to make them pay at least a part of the costs of the Seven Years' War—and, it may be added, of future wars.

This entire period is marked by the continued struggle between the people and the Lord Proprietary, and the refusal of the Lower House as representing the former to agree upon a Supply bill for His Majesty's Service except one based on taxes imposed upon incomes derived from salaries, fees, professions and other occupations, and upon the assessed value of real and personal estates, including taxes upon lands of the Proprietary, a measure which he felt threatened his prerogative. Students of the history of income taxation will be especially interested in these bills as they seem to represent the first attempt made in the English colonies, or as far as can be learned in the English speaking world, to tax incomes. Passed in all nine times by the Lower House and as often rejected in the Upper House, they imposed among other forms of taxation a specified annual tax, varying with the different bills, upon the earnings of public officials and benefited clergymen, as well as upon the earnings of physicians, lawyers, clerks, and factors. Thus in the 1760 bill the former group were taxed at ten per cent, and the latter group at seven and a half per cent, upon their earnings. An annual tax of one half of one per cent upon "the value of ready money", although uninvested, also imposed under several of these bills, was doubtless then looked upon by the wealthier class in the same light as a capital levy would be today.

The long and bitter contest, between the people as represented by the Lower House and the Proprietary as represented by the Governor and Council, was to have far-reaching effects. Professor Charles M. Andrews, dean of American historians, in a recent review of this struggle as recorded in the proceedings of the Maryland Assembly printed in the preceding volume of the *Archives*, (Volume LV), emphasizes the fact that the evidence found in these proceedings, while of especial concern for the history of Maryland, is of no less importance for the history of the entire British colonial world of that period, and illumines one phase of the struggle that was then taking place in the proprietary and royal colonies to throw off the restraining influence of the prerogative, and to give control into the hands of elected popular assem-

blies, which assumed the right, often at the expense of the legal claims of Crown or overlord, to act as trustees for all the inhabitants of their several provinces. The conflict between these two philosophies of government noted by Professor Andrews continues to be further emphasized in the period covered by this volume. But whichever view our background, prejudices, and sympathies cause us to espouse, there can be little excuse for the bad manners and unfairness shown by the Lower House in Maryland towards its opponents, or for the shortsighted and uncompromising attitude of the Proprietary.

Of especial interest is the claim set up by the Lower House at this time to the powers of the House of Commons in England. When this claim was rejected in its entirety in 1759 by Charles Pratt, the Attorney-General of the Crown, who declared that the British government would never consider such a pretension, the Lower House, to discredit this opinion, employed the sophistry that he had given the opinion as the counsel for Lord Baltimore and not as the Attorney-General of the Crown. These struggles between the Lord Proprietary and the people were soon to be extended as a result of the Stamp act to a struggle between the people and the prerogative of the Crown—although for reasons of expediency, the colonies sought to make Parliament, and not the Crown, the scapegoat. To students of American colonial constitutional history, these records will prove illuminating.

Throughout this period Frederick, sixth Lord Baltimore, was the Lord Proprietary. The Calvert line had, during the preceding century, shown steady deterioration, and Frederick, a non-resident landlord and a self-indulgent weakling, was interested only in the revenue which he was able to extract from the people of his Province, and in the offices and benefices which he could fill with his favorites. He left the handling of Maryland affairs largely to his nephew, Secretary Cecilius Calvert, who, like his patron, never visited the Province. It was through Cecilius that Governor Horatio Sharpe conducted most of his correspondence on Maryland affairs, although occasional letters from Frederick to Sharpe show considerable familiarity on his part with the details of administration. In such matters Frederick was no fool, although he exhibited complete absence of foresight by a foolish and unyielding assertion of his prerogative, which completely alienated the people of Maryland and did much to mould their attitude towards revolution. The proceedings of these six sessions of the General Assembly are a continuous record of the contest between the people and the claims of Proprietary prerogative.

There was a change of sovereigns during this period. On October 25, 1760, George II died and was succeeded by his grandson, George III, and on January 26, 1761, when the news reached Maryland, Governor Sharpe proclaimed the new King. All public officials of the Province were then required to take the oath of allegiance to the new sovereign, as were the members of the Assembly, when it met April 13, 1761, at its next session.

The decreased amount of legislation and the reduction in the number of addresses and messages between the two houses and the Governor, explain why the record of the proceedings and acts of these six Assembly sessions is so much less voluminous than that of the four immediately preceding sessions. As measured by the number of printed pages required to record their activities, these six sessions average only eighty-three printed pages for each session, as contrasted with an average of one hundred and seventy-four pages required to record the activities of each of the four preceding sessions as found in the last volume of the Archives (LV). For a proper understanding of these Assembly records they must be studied in connection with the *Proceedings of the Council of Maryland* for this period and the *Correspondence of Governor Horatio Sharpe* printed in earlier volumes of the *Archives of Maryland*.

The proceedings of the Upper House, as printed in this volume, are copied verbatim from the official manuscript liber. The Clerk of the Upper House who made these entries is guilty of many minor slips in spelling and the omission of words. The proceedings of the Lower House and the acts of the Assembly, as they are printed in this volume, exist in both contemporary official manuscript libers and as contemporary printed pamphlets. The manuscript record and printed pamphlets have been checked against each other for errors or variations in their text. The marginal notes as reproduced in this volume of the *Archives* are to be found, however, only in the contemporary printed pamphlets, not in the official manuscript libers. As in preceding volumes, where messages and addresses are recorded in the proceedings of both houses, if of any considerable length, they are printed only in the proceedings of the house in which they originated, if short they appear in the proceedings of both houses. Letters and reports, if they appear on the records of both houses, are reproduced only in the proceedings of the Upper House.

The Committee on Publications is indebted to Professor Jacob H. Hollander of the Johns Hopkins University for the benefit of his advice on several matters relating to the history of early American taxation. Dr. Elizabeth Merritt is responsible for the comprehensive index to this volume. Mrs. Vivian E. Barnes of the Society's staff has rendered valuable assistance in selecting and helping to prepare the copy for this volume for the press.

The next volume of the Archives will contain the *Proceedings of the Provincial Court* for the years 1666 to 1671.

Respectfully submitted,

J. HALL PLEASANTS (*editor*),

W. STULL HOLT,

RAPHAEL SEMMES,

Committee on Publications.

INTRODUCTION.

During the period of nearly four years covered by these General Assembly records, relations between the Governor and the Upper House representing the Proprietary interest on the one hand, and the Lower House reflecting the feelings of the majority of the people on the other, continued to be under great strain. The struggle which began at the September–December 1757 session between the two houses over the passage of a Supply bill for His Majesty's Service, or Assessment bill as it was popularly called, which had been three times rejected by the Upper House in the preceding Assembly as a measure directed against the Proprietary prerogative, became intensified, and the bill, again passed five times by the Lower House in this new Assembly, was to be as often rejected in the upper chamber. Not only this bill, which was the most important legislation of a controversial character to be considered, failed of passage, but on the same ground, as threats to the Proprietary prerogative, other measures of a controversial nature were also rejected, such as the support for a provincial agent in Great Britain, the message of condolence to the King, the Naturalization bill, the printing of Bacon's Collection of Laws, the adoption of the Journal of Accounts, and various measures designed to simplify the administration of the law. All these questions, and other matters of especial interest, which came before the Assembly at these six sessions are discussed in some detail under their several headings in this introduction. It is to be noted that there is no direct reference in these proceedings to the long standing Maryland-Pennsylvania boundary dispute then in process of settlement. Indian affairs were also quiescent. The main events of the six sessions will first be summarized.

SESSION OF OCTOBER–NOVEMBER, 1758.

Governor Sharpe had suddenly on May 13, 1758, prorogued the session of the Assembly that had met on March 28, after the Lower House had refused to enact a Supply bill for His Majesty's Service which was satisfactory to the Upper House, with the announcement by the Governor that it would be called together again on June 26. But this Assembly, which had been elected in the autumn of 1757 and had held three fruitless sessions, was destined not to meet again, for after two further postponements, the Governor, convinced of the hopelessness of winning over a majority of the members to any method of taxation other than an income tax on earnings and an assessment on the value of estates, upon the advice of his Council on August 31, 1758, issued writs for the election of a new Assembly, although not over sanguine that the electorate would choose a Lower House that would be less difficult to handle. The first meeting of the new Assembly was held on October 23, 1758, and although the popular or anti-Proprietary majority was slightly reduced, it was able during a life of over three years to thwart the wishes of the Proprietary, the Governor,

and the Council which sat as the Upper House, as completely as its predecessors had done.

The members of the Governor's Council, who, as such, also composed the Upper House, when the new Assembly met in October, 1738, were the Honorable Benjamin Tasker, Sr., (1690-1768) of Annapolis, since 1722 a member of the Council, and since 1727 its President, and who had served in 1752 and 1753 as Acting Governor; his son, Benjamin Tasker, Jr. (1720-1760) of Calvert County; Samuel Chamberlaine (1697-1773) of Talbot County; Colonel Charles Hammond (1692-1762) and Philip Thomas (1692-1762), both of Anne Arundel County; Benedict Calvert (1724-1788) of "Mount Airy", Prince George's County, natural son of Charles, Fifth Lord Baltimore, and half-brother of Frederick, Sixth Lord Baltimore, the present Lord Proprietary; Richard Lee (1705-1787) of Charles County; Daniel Dulany, the Younger, (1722-1797) of Frederick County, at that time the leading lawyer of the Province; Colonel Edward Lloyd (1711-1770) of "Wye", Queen Anne's County, Land Agent of the Proprietary, and since 1743 a member of the Council; William Goldsborough (1709-1760) of Talbot, and Robert Jenckins Henry (c. 1712-1766) of Somerset. Lloyd and Henry were frequently absent from meetings, and Goldsborough and Thomas were both then too ill to attend meetings and died not long afterward, as did Benjamin Tasker, Jr. The ability, industry, loyalty, and value to the proprietary interest of these several members of the Upper House and Council at this period are discussed in great detail in long letters from Sharpe to Frederick, Lord Baltimore, and to Secretary Cecilius Calvert, dated respectively May 23, and July 7, 1760 (*Arch. Md.* IX, 403-415, 423-435).

Some sixteen new members of the Lower House who had not been in the previous Assembly, were among those elected. The new members were Thomas Greenfield of St. Mary's County, William Waters of Somerset, James John Mackall and Colonel William Fitzhugh of Calvert County, Samuel Bowman and Captain Woolman Gibson of Talbot, Richard Gresham of Kent, Major Henry Travers and Charles Goldsborough of Dorchester, Major Benjamin Handy and Captain Zadock Purnell of Worcester, Josias Beall, Jr. of Prince George's, Colonel William Hopper and Thomas Harris of Queen Anne's, and Captain Henry Wright Crabb of Frederick.

In the Lower House nearly all the aggressive leaders of the popular or anti-Proprietary party in recent assemblies had been re-elected. We again find on all the leading committees, Charles Carroll, the Barrister, Colonel Edward Tilghman, Edward Dorsey, Philip Hammond, William Murdock, Robert Lloyd, and John Goldsborough. Conspicuous for its absence on the list of new members was the name of Matthew Tilghman of Talbot County, although he was to reappear later, when in 1760, he was chosen at a special election to fill the vacancy caused by the death of Thomas Harris of Queen Anne's County. The leaders of the Proprietary party were the two members from the city of Annapolis, Dr. George Steuart and Walter Dulany. Steuart, so hated by the popular party, seems to have been the mouthpiece of the government in the house, and every effort, fair or foul, was to be taken to prevent his retaining his seat.

Others prominent on the Proprietary side were Edmund Key, George Plater, and Thomas Greenfield of Saint Mary's, Colonel William Fitzhugh and Benjamin Mackall of Calvert, Pollard Edmondson, Woolman Gibson, and Samuel Bowman of Talbot, Henry Waggaman, Levin Gale, and Samuel Wilson of Somerset, and Zadock Purnell of Worcester County.

Members of the Lower House qualified by taking the usual oaths of fidelity, subscribing to the oath of abjuration, and signing the test. Colonel Henry Hooper of Dorchester County was elected Speaker and after his choice was approved by the Governor, as custom required, he was sworn in. Michael Macnemara, an aggressive supporter of the popular party, who for years had served as Clerk, was again chosen to fill this position and took the special oath qualifying him as Clerk (p. 14). The Rev. Clement Brooke of Annapolis, rector of St. Anne's Parish, Anne Arundel County, was chosen to read prayers twice daily (p. 18). Captain Robert Sanders and Andrew Buchanan were selected respectively Sergeant-at-arms and Door-Keeper, and took the special oaths of those offices (p. 15). Rules of order were adopted similar to those in use at previous sessions, including among others a rule forbidding reference to another member by his proper name, "reviling speeches," or entering "into the House of Assembly while the same is Sitting with Sword or other Weapon"; and members were to be fined for non-attendance.

The Lower House adopted a series of resolutions similar to those often passed at the first meeting following the election of a new Assembly, which may be regarded in a sense as a bill of rights and as a declaration of independence of Proprietary interference. These resolves related to the independence of the judiciary, the right of the inhabitants as free citizens of a free English colony to enjoy the laws of England as well as those of their own Province, and closed with a protest against the unlawful appropriation by the Proprietary to his own use of the twelve pence export duty on tobacco imposed under the Act of 1704. These resolves further declared that "the Committee of Aggrievances of the Lower House should have likewise the Character of a Committee for Courts of Justice" to observe the character of the commissions to the Judges of the courts of the Province, to see that no changes were made in the form of their oaths of office which might lessen their obligation to hear and determine all cases according to the laws of both England and this Province, and to observe that the oath should continue to include a clause requiring all judges "to do equal Law and Right to all the King's Subjects, Rich and Poor; and not to delay any Person of common Right, for the Letters of the King, the Lord Proprietary, or of any other, or for any other Cause" (pp. 16-18). The form of oath for judges had been provided by law in 1732 (*Arch. Md.* XXVII, 518-520).

One of these resolves declared with vehemence that Maryland must in no sense be considered as a conquered country, since a great part of the land was at first taken up not only from the Lord Proprietary but had been purchased from the Indians with whom on the whole the inhabitants had, with the exception of a few outrages and skirmishes, lived in harmony, and with whom they had enjoyed "an amicable Course of Trade"; and that Maryland was "a colony of

the English Nation", as its Christian inhabitants had been "encouraged by the Crown to transplant themselves hither for the Sake of improving and enlarging it's Dominions" and as such it's inhabitants were entitled as in the past to the benefits of "the Common Law and such general Statutes of England as are securative of the Rights and Liberties of the Subjects; and such Acts of Assembly as were made in the Province to suit it's particular Constitution", and that all commissions to judges should distinctly so declare (p. 16-18).

The house further resolved that, although it denied that the law of 1704 imposing an export duty on tobacco was still legally in force; even if this act were unjustly construed to be valid, the misappropriation of three out of the twelve pence export duty by the Proprietary for his personal use, on the grounds that this was his prerogative, was clearly unwarranted and illegal. Under this act, which was passed in 1704 when Maryland was a royal province, a duty of twelve pence a hogshead was to be collected on all tobaccos shipped out of the Province, three pence of which was to be applied to the purchase of arms and ammunition for defense. After the Province was restored to Proprietary rule in 1714, the lords Baltimore continued to collect the tax formerly spent for defense and appropriated it for their personal use.

Governor Sharpe opened the session with an address to both houses in which he declared that the events of the last session "were such as unhappily gave occasion for an odious Distinction to be made Between the Inhabitants of Maryland and those of the Neighboring Colonies and inclined His Majesty's Generals who were appointed to command his Forces in these parts to entertain a very unfavourable Opinion of the People of this Province". The Governor further said that he had told the commander that he did not believe it was the desire of the people in general to be exempted from contributing their quota for the contemplated expedition under Forbes, but that the failure to do so was due to the disagreement between the two houses as to the method of raising the money; and that General Forbes as a result of these representations had advanced funds for the support of the Maryland troops now in service under him until the Assembly could meet again and reimburse him. The Governor urged the Assembly to devote itself first to the preparation of a Supply bill and not to allow itself to be diverted to other less important matters (pp. 3-5). Forbes in a letter to Sharpe dated at the Camp at Carlisle, July 20, 1758, which was laid before the Assembly, wrote that "being very adverse to your Troops being disbanded at this critical Juncture when in all Probability I shall have great occasion for their Service, I am induced to Advance a Sum of Money . . . to pay your Troops the arrears that are due to them" and that "I shall not Scruple to Assure them that they will most Certainly be paid as Long as they shall Continue in the Service". Forbes also said that he had repaid Mr. Ross for the advances made by him to viciual the Maryland troops, and added that these advances were made "upon the Credit of the Province to be repaid me out of the first Money that your Assembly may raise", and requested that the Governor will "Communicate with Letter to them that they may be thoroughly apprised of my Intention and Expectation" (p. 5).

To the message of the Governor the Upper House in its address promised to do all in its power to enact a Supply bill and to repay Forbes his advances for the support of the troops, and expressed its regret that "any Occasion has been given for an odious Distinction to be made Between the Inhabitants of Maryland and those of the Neighboring Colonies". It thanked the Governor for his care of the frontier inhabitants during the summer just passed, "a Service discouraged by so many Disagreeable Circumstances and attended with so much Hardship and Fatigue that very few in your Scituation would have undertaken it with the alacrity and Sustained it with the Firmness your Excellency has done as they [the militia] enabled the General to draw into the Field those Troops which would have been Necessarily left for the Defense of Fort Cumberland, had not your Excellency undertaken to garrison that place with Volunteers, whose Spirit on this Occasion cant be too much Commended" (pp. 7-8). These rather cryptic references, laudable to Sharpe who had actually been with Maryland troops on the frontier during the summer, become clear when we read his letters to Frederick, Lord Baltimore and to Baltimore's secretary in England, Cecilius Calvert, and their replies to Sharpe. Under date of July 8, 1758, and of August 28, the Governor wrote to Baltimore that when a considerable number of Maryland troops had gone from Fort Frederick as rangers with Forbes on the expedition to the Ohio, he had been obliged to send two companies of militia to garrison that Fort, and that they had marched voluntarily, notwithstanding the fact that a former Assembly had resolved that calling out the militia by the Governor for the defense of the frontier was without warrant of law; and he added that later two hundred Frederick County militia had voluntarily gone from Fort Frederick to Fort Cumberland for a month for garrison service (*Arch. Md.* IX, 252-257, 269).

The Lower House in its reply to the Governor declared that it had given "no Occasion for the odious Distinction that has been made between the Inhabitants of Maryland and those of Neighboring Colonies; and that his Majesty's Generals, when they shall have an Opportunity and Curiosity to peruse and consider them [the house journals], will be induced to entertain a favourable Opinion of the Inhabitants of this Province and [we] rejoice to find your Excellency now expressing Hope that the like differences [as to the methods of raising money] may not happen at this or any future Session" (p. 21-22). The house concluded by promising to give immediate consideration to the recommendations made by the Governor and by Forbes, but instead of doing so, spent most of its time wrangling over the disputed Annapolis election case.

On October 28, the Lower House resolved that it would, out of the funds raised under the Supply Bill, make provision to pay arrears due to Maryland troops, to reimburse Forbes for the money he had advanced for the pay of the Maryland soldiers taken into the service of the Crown, and to raise a force to serve in the coming campaign. It was then ordered by a vote of 27 to 19 that a Supply bill be drawn up in conformity with these resolves which it had adopted (p. 26), the money to be raised by "an equal assessment on all estates,

real and personal, and lucrative offices and employments". This was the same "assessment" method of taxation which had already caused the rejection of the bill four times previously by the Upper House, and which it well knew would again result in its rejection (p. 27). This bill is discussed in further detail in a later section (pp. xlivi-xliv).

The Governor, in disgust at the unwarranted attempt to throw out the votes of the aldermen of Annapolis cast at the recent election for delegates to the Assembly, and as a gesture of his disapproval, on November 4 prorogued the session, or "convention of the Assembly" as the Upper House called it, for a period of three days until November 7, but subsequently extended this date until November 20 (pp. 30-35). Sharpe writing to Cecilius Calvert under dates of November 28 and December 10, 1758, after the Assembly had reconvened, said that the mayor and aldermen by petition had represented to him that the Lower House in order to turn Dr. George Steuart out had denied the right of the aldermen to vote, and that acting upon the advice of the Council, he had twice prorogued the Assembly and that he now believed that the house was weakening and that the right of the aldermen to vote would be maintained (*Arch. Md.* IX: 304, 310). The matter did come up again at the following session but was soon allowed to drop.

A committee which had been appointed to advise the Lower House what laws were about to expire by time limitation, reported by title eight such acts (pp. 28-29). As no legislation of any kind was passed at this "convention" of the Assembly they came before the next session and were then acted upon.

SESSION OF NOVEMBER-DECEMBER, 1758.

The session, or "convention", of the Assembly which Sharpe had on November 4 prorogued in disgust, because it had busied itself with little but an attempt to unseat Dr. George Steuart of Annapolis on frivolous grounds, and had shown no disposition to present a Supply bill which had the least chance of passage in the Upper House, was called together on November 22. In his opening speech to the November-December 1758 Assembly, the Governor made no reference to the reasons which had caused him to bring the previous session to a sudden end, but assigned as the cause for again calling them together the receipt of a letter from General Forbes then on the march to the Ohio. In this letter Forbes asked that measures be immediately taken for the security of the Province and the two neighboring colonies, and told how far it was expected that "the Inhabitants of this Province . . . will Contribute" for military purposes (p. 39). This letter from Forbes, dated at Ray's Town Camp, [Pa.] October 22, 1758, referred to his continued precarious state of health and his inability to progress because the roads had not dried out sufficiently for the last division of his troops to march. While unwilling to speculate upon the success of his expedition to the west, he declared that "it is necessary to Leave as Large and Extensive a Barrier as Possible to cover the frontier of Virginia, Maryland, and Pennsylvania, the Number of the King's Troops that I have under my Command does not exceed twelve Hundred men, the

Greatest Part of which I must send to the Inhabited part of the Country to Recruit and fit themselves out for the ensuing Campaign". He then named some twelve posts on the frontiers of Maryland, Virginia, and Pennsylvania which should be garrisoned by the troops of these colonies, including Fort Frederick and Fort Cumberland in Maryland, and asked that this Province furnish and maintain at least five hundred men for this purpose. To make the men comfortable they should each be furnished with a second blanket in lieu of a bed, a flannel jacket, a new pair of breeches, two pairs of stockings, and a pair of shoes. He added that he expected by this time the new Assembly had appropriated the money to reimburse him for the funds he had advanced to pay the Maryland troops the large arrears due them by this Province when he took them into the service of the Crown (pp. 39-41). The reader is reminded that Brigadier-General John Forbes died of dysentery on March 11, 1759, not long after the expedition, which he had so well planned, reached the Ohio and occupied Fort Duquesne. It was on December 13 that Sharpe in messages directed to the two houses announced that Lieutenant-Colonel Dagworthy had just arrived from Fort Duquesne with news that General Forbes had taken possession of it on November 25, the French garrison having abandoned it two days previously, some going down the Mississippi, others up the Ohio towards Canada (pp. 51-52, 101, 104).

In its address in reply to the Governor's speech, the Upper House promised to further in every way General Forbes' wishes. The Lower House in its reply, drawn up by a committee of which William Murdock was chairman, while promising to embrace every opportunity to advance the security of the Province and his Majesty's service in general, reminded the Governor that at its last meeting it had resolved to reimburse General Forbes out of the first money voted for the advances he had made to the Maryland troops, and that a bill to this end might by this time have been passed had he not prevented this by prorogation. It promised full "Consideration of the General's Letter and with Dispatch (which we hope will not be embarrassed by any unnecessary obstruction)". A vote to eliminate this last phrase, enclosed in the house journal in parentheses and obviously aimed at the Upper House, was lost 20 to 13 (pp. 68-70).

The Lower House adopted the same rules of order in use in preceding sessions, and again selected the Rev. Clement Brooke of St. Anne's to read prayers twice daily. Major Benjamin Handy, a delegate from Worcester County chosen at the recent election, having accepted the office of sheriff, the house ordered the Speaker to issue a warrant for the election of a new member to fill his place (p. 68).

This November-December 1758 session which lasted a month was productive of little legislation of importance. While the undercurrent of hostility between the two houses was as strong as in recent sessions, there were fewer interchanges of messages and addresses, between the Governor and the Upper House on one hand and the Lower House on the other, in which the issues dividing them were discussed on their merits as each side chose to view them. Bills which had passed one house were now often immediately rejected by the

other without explanation, or without even a brief statement that they were open to the same objections as when they had been previously thrown out. Occasionally amendments were added without explanation entirely changing the tenor of the bill.

The disputed Steuart-Woodward election and the disciplining of Samuel Wilson for his attack upon Philip Hammond, occupied much of the time of the Lower House at this session. Both of these episodes are fully discussed elsewhere in this introduction (pp. lii-iv). Of course the most important bill to come before the Assembly was the £36,000 Supply bill for his Majesty's Service and Defense of the Frontier Inhabitants, or the Assessment bill as it had now generally come to be known. This bill, prepared by a committee of the Lower House of which Philip Hammond was chairman, was introduced on December 9 (p. 92). It was based on the resolves which the house had previously adopted (pp. 76-78). No copy of the Assessment bill passed by the Lower House at this session is known to be in existence, but from its title and the *Sharpe Correspondence*, there is no reason to believe that it differed in any important respect, except the amount to be raised was now fixed at £36,000, from that passed by the Lower House at the March-May 1758 session in which the figure was £45,000, which has been discussed in the introduction to the previous volume of the *Archives* (*Arch. Md.* LV, xxviii-xxxii). This was virtually an income tax measure imposing a five per cent tax annually on incomes from salaries and emoluments, and on the assessed value of real and personal property. Passed by the Lower House, it was for the fourth time rejected in the Upper House. Its course in both houses is fully discussed elsewhere in this introduction (pp. xliv-xlv). Another matter of acrimonious dispute between the two houses also again came up at this session. This was a bill to reduce the allowances of members of the Assembly and of justices. Action upon it was referred to the next session (pp. xxvii, 116-117). This bill has been discussed in the preceding volume of the *Archives* (*Arch. Md.* LV, xlvi-xxviii).

Edmund Key, the aristocratic and prominent delegate from St. Mary's County with strong Proprietary leanings, in a debate in the Lower House on November 30 upon the appointment of a committee to draft a Supply or Assessment bill, a subject productive of much political ill temper, referred to some of the members of that committee as "indolent". Composed as this committee was of the leaders of the popular party in the house, Edward Tilghman, Edward Dorsey, Philip Hammond, Robert Lloyd, Charles Carroll the Barrister, Thomas Harris, and Alexander Williamson, such disrespectful words stirred up a tempest in a tea pot. Key, by a resolution of the house adopted the following day, was "called upon to explain himself with Relation to the Word reflecting upon the Gentlemen appointed, confessed that the Word dropped from him thro' Inadvertency, without any Design to reflect upon the House, or any Member thereof. Which submission the House consented to accept, and waived all further Proceeding thereon". Unfortunately, however, we are left in uncertainty as to the probable truth of Mr. Key's charge of indolence against the members of the committee (pp. 82-83). Soon after

this, Edmund Key left the Province on a visit to England, and a writ of election was ordered by the house to fill his place (p. 228). By a unanimous vote on November 27 the house summoned Thomas Jenings Jr., a clerk of one of the committees, who was later to become one of the leading lawyers of Maryland and Attorney-General, to appear at the bar of the house "to give Information as to a Fact, which is a Breach of Privilege of this House", and it was ordered by a vote of 27 to 14, most of the members of the Proprietary party voting in the negative, "that the Doors of this House be shut". Jonas Green, the printer of the *Maryland Gazette* was at the same time summoned at the bar of the house (p. 75). So tightly shut were the doors of the house that we remain in ignorance of what the "breach of privilege" had been, or who was suspected.

Under the £40,000 Supply act of 1756 for His Majesty's Service, a considerable sum had been set aside for scalp bounties, at £50 per scalp of hostile Indians, of which only a small part had been used (*Arch. Md.* LV, xliv-xlv). Several unsuccessful attempts had previously been made to have the Assembly divert this unexpended fund to other purposes. On December 20, 1758, a petition was read in the Upper House from Lieutenant-Colonel John Dagworthy, Captain Alexander, and Joseph Beale, officers with the Maryland soldiers on the frontier, praying that pay in arrears be given them to save them from jail or perishing from want of the common necessities of life (p. 59). Referred the following day for the consideration of the Lower House, a motion was there made, backed by the vote of the Proprietary party, that the unexpended appropriation for scalps be used to pay the soldiers on the frontier, but this was voted down 21 to 15. The Lower House then entered on its journal, by a vote of 24 to 12, that the Supply or Assessment bill just rejected by the Upper House, had made provision for the pay of the petitioners, and that in passing this bill it had done for them and others everything incumbent upon it (pp. 116, 117-118). Immediately thereafter, however, the same house, by a vote of 19 to 15, did pass a motion that £1,500 of the scalp money be applied as "presents" to the officers and soldiers raised in this Province, for their valour and bravery in this last campaign under General Forbes (pp. 120-121). A bill to this effect was passed on December 22 by a vote of 19 to 18, the die-hards of the Popular party voting against even a "present" (p. 124). It was promptly approved by the Upper House (p. 63). Under its provisions Lieutenant-Colonel Dagworthy was to receive £30, every captain £16, and the remainder to be expended for clothes and other necessities to be equally distributed among the privates who had served with the Forbes expedition (pp. 136-137). In the same act was a provision reimbursing Colonel Dagworthy and James Riley for £50 they had paid to a Cherokee Indian for the scalp of Captain Charles, a hostile Delaware Indian, killed by Captain Evan Shelby in a skirmish at Loyal Banning, November 12, 1757. It appears that at the request of General Forbes this scalp had been presented to the Cherokees in order to attach them to the English interest, and Dagworthy, ignorant of its history, had purchased it from a Cherokee as the scalp of an Indian enemy, and that a scalp bounty had been paid upon it on December 10th in Annapolis

to Lieutenant James Riley acting for Dagworthy (p. 134). It has been said that the Cherokees could so divide a single scalp as to make it appear to be three or four scalps, but this is a case where the same scalp was actually twice paid for!

As was the custom, the two houses appointed a joint committee to inspect the accounts of the Loan Office, or the Office of the Commissioners for Emitting Bills of Credit, or the Paper Currency Office, as it was variously called, but the session was prorogued before this committee reported to their respective houses (pp. 19, 21, 44, 47, 76). The failure of the Assembly to agree upon a Journal of Accounts is discussed elsewhere in this introduction (pp. lxviii-lxix).

The erection of a lighthouse at Cape Henry on the Virginia capes came up at this session. The Governor on December 19, 1758, in an address to both houses, declared that he had been commanded by the Lord Proprietary, as the result of an intimation from the Lords of Trade and Plantations, to recommend to the Assembly that it impose a duty of twopence sterling per ton on all vessels coming into Maryland and Virginia through the capes at Virginia, this imposition to become effective when the legislatures of both provinces imposed a similar duty, towards building a lighthouse at Cape Henry, the funds to be expended in equal proportion by both provinces. The Lower House, on the last day of the session, December 23, in an address to the Governor in reply, declared they thought it proper to defer consideration of the matter until the next session (pp. 54, 111, 112, 125, 126), but it was not brought up again during the life of this Assembly.

The Governor recommended in an address to both houses on December 19, that a sum of money be granted for the support of certain French prisoners, doubtless sailors, that had lately been brought into the Province, and of others who might thereafter be brought in, until they could be shipped to Great Britain or sent to some French port to be exchanged for an equal number of British sailors (p. 112).

A bill for "the relief of certain languishing prisoners" for debt in the several county gaols of the Province was passed by the Lower House (pp. 123, 62). When it reached the Upper House, December 22, it was amended in such a way that the Lower House refused to acquiesce in the amendments and it was rejected. These amendments seem to have been devised to relieve not only debtors to the Loan Office but their sureties as well, and to have denied relief to those indebted to the Lord Proprietary and the Crown (pp. 62, 124). It was doubtless the preferential position given to the Proprietary which caused the Lower House to reject the amended bill. Nor was any act for the relief of "languishing prisoners" passed during the life of this Assembly. There have been preserved a number of petitions from several of these "languishing prisoners"; some of these for this general period are printed in the Appendix (pp. 509-514).

A petition from the visitors of the Free School in Saint Mary's County was presented, praying that a bill be brought in to dispose of the present school house and the land on which it stood, and empowering the purchase of another

site in a more convenient location. This petition was referred by the Upper House to the Lower House, and the latter directed that Mr. Dale, Mr. Plater, and Mr. Key of Saint Mary's County be authorized to bring in a bill with this end in view. This was done and the bill passed both houses and became a law (pp. 50, 98, 106, 116, 120, 133).

An interesting petition was presented by the rector, vestrymen, church warden, and parishioners of Port Tobacco parish, Charles County, requesting the passage of a law to tax annually the inhabitants of the parish for the support of a church organist. This indicates a degree of appreciation of music at this early date worthy of notice, as the petitioners were willing to have themselves taxed, although it should be added that this also meant taxing Catholics, Quakers, and other dissenters in the parish, who would not be likely to enjoy the performances of the organist at Port Tobacco Church. Referred to the Lower House, the bill to this end was promptly introduced and passed on December 22, and sent to the Upper House where it was assented to. The act recites that Dr. Gustavus Brown (a native of Scotland and a very prominent member of Port Tobacco parish) had offered to donate an organ on condition that the parish would employ an organist. An annual tax of two pounds of tobacco per capita to be collected by the sheriff was to be imposed for a period of fifteen years, but it was provided that if for any reason the parish should be without an organist the tax was to be applied to such other parochial purposes as the vestry should decide (pp. 56, 63, 121-122, 135-136). It is of interest to note that the performances of the organist were so appreciated by the parish that in 1763 the act was continued by new legislation.

Two other petitions relating to church matters were also presented at this session. One was from certain "Subscribing Clergy of the Church of England within this Province", apparently requesting that amendments be made to the existing law regarding the inspection and grading of tobacco. That this was probably not entirely disinterested is revealed when it is remembered that clergymen's salaries were payable in good tobacco and that rigid inspection and grading of tobacco was therefore to their interest. This petition was thrown out on the ground that an act extending the inspection law had already been passed (p. 48). We are left in the dark as to the nature of the "Petition of the Subscribers, Clergymen of the Church of England of this Province on behalf of themselves and their brethren", which was also rejected because it was signed by "Two Clergymen only in a Matter regarding the whole Body of the Clergy" (p. 48).

As usual, a number of private petitions were presented to the Assembly. Several of these were offered by executors or administrators requesting legislation that would facilitate the settlement of estates. One of these referred to the estate of William Paca, a prominent Baltimore County planter, and involved the value of certain mortgaged properties; action upon it was deferred until the next session (pp. 54, 112, 122). Action upon petitions to facilitate settlement of the estates of Tobias Stansbury of Baltimore County, and of Robert Freeland of Talbot County, were also referred to the next session (pp. 55). The administrator of the estate of Gamaliel Butler of Annapolis asked

authority to sell houses and lots in that city to pay certain debts, but the petition seems to have been tabled (pp. 59, 118). A number of other petitions were received asking relief from the Assembly, but in most cases we are left in the dark as to why relief is sought. A certain James Johnson sought payment "by the Public" for goods delivered at Annapolis to the Indians in 1742 (pp. 53, 109).

Eleven acts in all were passed at this session. Five of these continued old acts which were expiring by limitation of time. Then, as still two centuries later, the Assembly busied itself with the passage of local laws for the destruction of crows and squirrels in particular counties, and the exemption of certain other counties from their operations (pp. 131, 132). An act was passed for the removal of a public warehouse for the inspection of tobacco from Howard's Point on South River, Anne Arundel County, to the warehouse owned by Nicholas Maccubbin "at the Land of Ease" on South River (p. 132). The act authorizing the change in the location of the Free School in Saint Mary's County has been previously referred to (pp. xxiii, 132), as has the act for a grant of money to reimburse Lieutenant-Colonel Dagworthy the sum of fifty pounds which he had paid for a second-hand Delaware Indian scalp (pp. xxi-xxii, 134, 135). Reference has also previously been made to bills passed imposing a special tax for the employment of an organist at Port Tobacco Church (pp. 135, 136), and for "presents" of money to the officers and men who had served under Forbes in the expedition against Fort Duquesne (pp. 136, 137). As noted before, no really important bills, all of which were of a controversial nature, succeeded in passing both houses at this session.

SESSION OF APRIL, 1759.

The session, or "convention" as the Upper House styled it, of the Assembly which met in April 1759, did not enact a single law and was even more profitless in results than had been its recent predecessors. The Upper and Lower houses locked horns on the Supply bill, or Assessment bill as it had now generally come to be known. Thus for the fifth successive time we see the Lower House sending up a bill calling for a method of taxation for the support of the Maryland troops to be used in defense of its western frontier, which it knew would again be rejected by the Upper House. Nor is it likely that the Lower House would have favored what was virtually a tax on estates and incomes had it thought it remotely possible that it would be approved in the other house. If the Lower House had stubbornly refused to frame a tax bill for the defense of the frontiers which had a chance of passage when the back settlements were really seriously threatened, it became more and more improbable that it would do so after Forbes had succeeded in taking Fort Duquesne and Amherst had captured Louisburg.

The session which began on April 4, 1759, was destined to last only two weeks. Sharpe in his opening speech to both houses said he had called them together because the King had directed William Pitt, one of his principal secretaries of state, to require the governors of the several provinces to convene their respective assemblies, and to urge them to raise as large a number of men

as possible to cooperate with the Royal forces against the French. The Governor transmitted two letters from Pitt, dated at Whitehall December 9 and December 29 respectively, and two letters from the new Commander-in-Chief, General Jeffrey Amherst, written from New York, December 13, 1758, and March 18, 1759. The letters from Pitt to Sharpe were circular letters sent to the colonial governors of Pennsylvania, Maryland, Virginia, North Carolina, and South Carolina, and are so similar in tenor to those previously sent by him and transmitted at the March-May 1758 session, as to require little additional comment (*Arch. Md.* LV, xxi, 467-468). The several provinces were directed to raise as large a number of men as they were able, those from each province to be kept together to act under the Commander-in-Chief with the King's regular forces. Pitt again declared that the provincial officers as high as and including colonels, to be commissioned by the several governors from among those gentlemen who from their weight and credit in their several provinces will best aid recruiting, were to have their same rank under Amherst, as had been promised under his Majesty's previous orders of December 30, 1757; and that arms, ammunition, tents, and provisions would be supplied by the King, although the provinces were expected to levy and furnish clothing and pay for the men, and added that Parliament would later be asked to reimburse the provinces for these latter expenditures (pp. 142, 144). In his second letter dated December 29, he emphasized the necessity for great speed in raising men so that they might be ready for service when required by Amherst at the appointed rendezvous (p. 145). Amherst in his letter of December 13, 1758, from New York notified Sharpe of his appointment as Commander-in-Chief in North America, and suggested that the same number of men be furnished for the 1759 campaign as had been levied by the several provinces during the year just closing. He also requested that every assistance be given to the regular officers who were being sent into his Province to help them to recruit men for the Royal American Regiment (p. 144). In his letter of March 18, 1759, Amherst notified Sharpe that, on account of the recent death of General Forbes, he had appointed Brigadier-General Stanwix to have charge of the expedition to the west and asked that the Governor communicate directly with that officer (pp. 145-146).

Both houses of the Assembly sent addresses to the Governor promising to use their best endeavors to comply with the King's wishes, the Lower House expressing the hope that "whoever may have occasioned a Failure last Year, will be induced by the Contents of those Letters, to embrace the Opportunity which now presents itself . . . of making in some Sort Amends, by a ready Concurrence with every equitable Proposal which may be made for promoting his Majesty's Service" (pp. 162-163), a not gentle intimation that the fault lay not with the Lower House but with the upper chamber.

A few days after the Assembly had been convened, other letters arrived for Sharpe from Pitt and Amherst, and one from Stanwix, which were communicated on April 9 to both houses. Pitt, under date of January 23, 1759, wrote that the King, having heard of the success of his arms under Forbes on the Ohio, had ordered that Fort Duquesne, now in ruins, be immediately restored

and strengthened to ensure undisputed possession of the Ohio, and declared that it was the King's pleasure that the Governor use his utmost endeavors to see that the Assembly provided workmen, materials, cattle, and carriages, to support the King's forces employed in this work (pp. 148-149). Amherst in his letter dated at New York, March 28, referred in some detail to Pitt's orders and requested that every help be given General Stanwix "now in the command to the southward" (pp. 149-150). Stanwix in his letter, dated at Philadelphia, April 2, expressed the hope that Maryland would at once raise "four good companies of rangers so necessary for carrying on the service; in which I am told your Province abounds" (pp. 150-151).

Stephen Bordley, Attorney-General of the Province, who had just been appointed a member of the Governor's Council by the Lord Proprietary, took his seat in the Upper House for the first time at this session. The Lower House, after listening to the speech by the Governor and the reading of the letters transmitted with it, adopted the same rules that had been in use at the previous session, and again requested the Rev. Clement Brooke of St. Anne's to read divine service twice daily. Parker Selby of Worcester, a newly elected delegate with Proprietary leanings, was sworn in to fill the place of Benjamin Handy, recently appointed sheriff of that county. Dr. George Steuart, who had been evicted from his place as a delegate from Annapolis at the previous session and had been again chosen at the recent special election, was also sworn in (p. 161), although the validity of his election was almost immediately challenged by Nicholas Maccubbin, the brother-in-law of Charles Carroll, the Barrister, against whom Steuart had run. The Lower House at once plunged into this election contest, with the popular majority eager to rid the house of this dyed-in-the-wool partisan of the Lord Proprietary (pp. 163-164). No decision had been reached before the Assembly adjourned, nor was the contest revived at later sessions. It also busied itself again with disciplining Samuel Wilson, the delegate from Somerset and member of the Proprietary party, who at the previous session had been committed to the custody of the sergeant-at-arms for his refusal to apologize to Philip Hammond, another delegate. The Steuart-Maccubbin contest and the Wilson-Hammond affair are both treated at length elsewhere in this introduction (pp. liii-lv).

The Lower House went through the usual procedure it had followed in recent sessions in the preparation of a Supply bill for His Majesty's Service. A series of resolves were first adopted as to the scope of the bill, which was to cover back pay due to Maryland soldiers and advances made by General Forbes to them, arrears due for winter quartering of troops, and back pay to the militia for recent years, and for levying and paying a thousand soldiers and a hundred rangers to be raised for the coming campaign. The amount to be appropriated was fixed at £60,000, the money to be obtained by an assessment on estates and a tax on incomes. Various changes were made in the bill as introduced by the house sitting as a committee of the whole; it was passed on April 14 by a vote of 28 to 19 and sent to the Upper House, where after one reading it was promptly rejected—the fifth time the upper chamber had thrown out the Assessment bill. An attempt in the Lower House to introduce a compromise bill, com-

bining the assessment plan of taxation on real and personal estates and on salaries, fees, and incomes from professions, with various other taxes used in the Province in the past, failed of passage by a vote of 32 to 12. As the details of its resolves, the votes in the Lower House sitting as a committee of the whole house, the various provisions of the bill, and the brief but acrimonious messages between the Lower House and the Governor, are all reviewed at considerable length elsewhere, further repetition here is unnecessary (pp. xlv-xlvii).

Among other controversial matters which came up at this session in the Lower House, was that hardy perennial—a bill for the support of a Provincial Agent in Great Britain to represent the people of Maryland before the home government. Such a bill was introduced on April 16, 1759, and passed the next day. It was immediately rejected in the Upper House (pp. 184, 191-192, 157). The subject of a Provincial Agent is further discussed in a later section of this introduction (pp. lix-lx). A bill for reducing the allowances of members of the Upper and Lower houses of the Assembly was introduced at this session on April 16 (p. 184). This bill had been brought before the preceding session, but by a vote of 17 to 17, the Speaker casting the deciding vote, action upon it had been postponed until the next Assembly (pp. 116-117). This question had been a matter of dispute between the two houses for several years, and was aimed at the payment for attendance to members of the Upper House who also received pay as members of the Council, and in many instances also held other judicial and civil offices. The matter has been discussed at length in the introduction to the preceding volume of the Archives (*Arch. Md.* LV, pp. xlvii-xlviii). The bill as introduced in the Lower House was amended in several details in committee of the whole as regards the per diem pay of the members of each house and of county justices, but the Assembly adjourned before further action could be taken upon it (pp. 188-189). A bill to permit the issuance of writs of replevin out of the county courts was introduced the day before adjournment by a committee of the Lower House composed largely of stalwart members of the popular party. A motion that it be given a second reading was, doubtless for tactical reasons, defeated by a vote of 22 to 12, all the votes for this second reading coming from members of the Proprietary party (p. 184).

A joint committee of both houses was appointed to audit or inspect, the accounts of the Loan Office (pp. 171, 182, 152), but before it made a report the session had come to a sudden end. On April 16, the Governor sent a message to the Lower House saying that he was enclosing an account received from Mr. Russell, the Director of the General Hospital maintained by the British commander, of the sums due him for the care of the Maryland soldiers, sick and wounded, at that hospital. The Director said that he had already been paid by Pennsylvania and Virginia for the troops of these provinces cared for last year at the time of the Forbes expedition westward, and requested payment by Maryland (p. 185): but there is no reason to believe that he was paid as neither the Journal of Accounts nor the Public Levy came up for consideration.

The Governor communicated to the Upper House on April 17 that he had just been instructed by the Lord Proprietary to inform them that, in compli-

ance with the address of both houses of the Assembly, dated December 14, 1757, made at a previous session (*Arch. Md.* LV, xl ix, 1), he had presented their addresses to the King and the Lords of Trade and Plantations, praying that the embargo be lifted on the shipment of corn and provisions from Maryland and other colonies in America to the Madeiras and other European dominions of friendly states. He said that this petition had been referred to a committee of the King's Privy Council, and added that, while the lifting of the embargo was at present refused, he was hopeful that by his efforts he would eventually be successful in securing its removal (p. 154). The correspondence shows that the committee of the Privy Council referred the matter to the Board of Trade, whose report signed by Dunk Halifax, Francis Oswald, and W. S. Hamilton was also submitted. In this report it is declared that the export of grain to friendly foreign countries had been stopped because of the scarcity of corn in Great Britain and Ireland, in the fear that, unless rigid restrictions were imposed, it would indirectly reach the enemy (pp. 154-156). William Sharpe, clerk of the Privy Council and Governor Sharpe's brother, in his letter to the Lord Proprietary dated, Whitehall Council Office, August 23, 1758, explained the steps that have been taken in the matter, and said that the committee of the Privy Council also felt that the time was not now propitious to permit the export of corn to other countries than Great Britain and Ireland (pp. 156-157). This embargo question is discussed in the preceding volume of the *Archives* (*Arch. Md.* LV, xl viii-xlix).

In proroguing the Assembly suddenly on April 17, the Governor declared that, as the Lower House continued to refuse to pass a Supply bill other than that which had been already five times rejected in the Upper House, and as a continuance of the session would only increase the heavy expenses imposed on the public, with the advice of his Council he had prorogued it until July 16 next (pp. 157-158). No acts were passed at this convention of the Assembly.

SESSION OF MARCH—APRIL 1760.

The fourth session of the Assembly which had been elected in the fall of 1758 and met on March 22, 1760, was to prove almost as futile and unproductive of results as had been the three previous meetings. Measures of general importance such as the Supply or Assessment bill for His Majesty's Service, the bill for the support of a Provincial Agent in Great Britain, the Naturalization bill, the bill to reduce interest rates on tobacco and money, the bill to relieve landholders from certain unforeseen and oppressive land taxes about to be imposed under the terms of the Supply act of 1756, and the adoption of the Journal of Accounts, all failed of passage because of disagreement between the two houses. On the one hand the good of the Province was ignored by the Upper House because of the fear of the Lord Proprietary that his prerogative might be encroached upon by these measures, and on the other hand, the defense and welfare of the Province were entirely lost sight of by the popular majority in the Lower House in its desire to thwart what it called the "pretensions" of the Proprietary, and by its refusal to pass any measure to raise money for the service except such as were drafted by it with a view to weaken-

ing the Proprietary's prerogative. To be sure, at this session a few acts were passed and became laws, but these were either acts continuing the operation of old laws, or were local or private acts unrelated to subjects of political controversy.

In the Upper House one new name appears, that of Richard Lee of Charles County who had recently been added to the Governor's Council. He was a member of a branch of the distinguished Lee family of Virginia that had settled in southern Maryland early in the eighteenth century. The correspondence of Governor Sharpe shows that both Colonel William Goldsborough and Colonel Robert Jenckins Henry were in bad health and were unable to attend meetings, and that Colonel Edward Lloyd of "Wye" was irregular in his attendance (*Arch. Md.* IX, 326, 389). This correspondence also shows that enmity had developed between Daniel Dulany the younger, the strongest man intellectually on the Council, and Stephen Bordley the Attorney-General (*ibid.*, 389), and that Sharpe had begun to doubt Dulany's complete attachment to the Proprietary interest (*ibid.*; 479, 497-501).

The Lower House listened with resentment to the Governor's opening speech to the two houses, which included a paragraph calling the attention of this house to the legal opinion of Charles Pratt, the King's Attorney-General, to the effect that the recent Supply or Assessment bills passed by that house were unconstitutional. This opinion (pp. 202-204) is more fully discussed in a later section of this introduction (p. li). After congratulating both houses on the signal success of the King's arms during the past year, the Governor urged the Assembly to comply immediately with the wishes of the King as expressed in the letters of Pitt and Amherst which he transmitted for their consideration, and urged that in considering the Supply bill they avoid the rock on which the two houses had hitherto split (pp. 228-229).

George Fraser, a delegate from Prince George's County, and Captain Arthur Lee of Charles County, although elected to the Lower House in September, 1758, were now sworn in and took their seats for the first time (pp. 23, 228, 229). The Speaker was directed to issue writs for elections to fill the places of Thomas Harris of Queen Anne's County who had recently died, and of Edmund Key of Saint Mary's County "removed from the Province" to England. The Rev. Alexander Williamson who had lately been appointed rector of St. Anne's Parish was desired to read prayers twice daily in the Lower House. The rules used at previous sessions were adopted and six standing committees appointed (pp. 228-229).

The letter from William Pitt, a circular communication sent to various colonial governors, dated at Whitehall, January 7th, 1760 (p. 199-200), was similar in phrase and content to that submitted to the last Assembly (pp. 142-144). He repeated his request that the Assembly furnish immediately as many men as possible to cooperate with the regular British forces, and reiterated his previous statements that officers in the Provincial service, as high as and including colonels, would be given the same rank as those in the regular service; he declared that the King would arm, equip, and fed the men to be raised, and that although for the present the Province would be called upon to recruit,

clothe, and pay them, it was expected that it would be reimbursed for this by Parliament (pp. 199-200). General Amherst, in his letter dated from New York, February 21, 1760, wrote in the same strain as he did in his previous letter of March 28, 1759 (pp. 149-150), and urged that the assemblies of the southern colonies furnish as large a number of men as they are able, without specifying the exact number expected from each, to act in cooperation with the regular forces wherever they are most needed by the Commander-in-Chief (p. 200-202). It is of interest that Sharpe, in his reports to the Lord Proprietary and to Secretary Cecilius Calvert, pointed out that these circular letters of Pitt, sent in identical form to the governors of several colonies, lacked the effectiveness that more direct and personal letters would have. He also wrote that a direct censure by Pitt of the Lower House, and a letter from that minister to him expressing extreme disapproval of its conduct, might well change the attitude of that body (*Arch. Md.* IX, pp. 325, 397).

The Lower House replied to this speech of the Governor in an address dated March 4, 1760, congratulating him on the many successes of his Majesty's Arms and promising immediate action which would demonstrate its loyalty by its prompt response to the requests contained in the letters of Pitt and Amherst. It also said that it would give due regard to the legal opinion of Charles Pratt, the Crown's Attorney-General, on the unconstitutionality of the two Supply bills previously sent to the Upper House, but added that it was presumed that this opinion was given by Pratt, not as representing the Crown, but "only as a private Counsel to the Lord Proprietary", and that it is greatly to be regretted that the opinion was not accompanied with the statement of the case upon which it was founded. The address concluded with the assertion that the bill which it is about to frame "will be consistent with the Liberties and Privileges of British Subjects, and justifiable upon the Principles of our Constitution" (pp. 230-231).

Following the usual preliminary resolves in the Lower House as to the scope of the proposed Service, or Assessment, bill and a vote of the house that the "money required be raised by an assessment on all estates, offices and employments", the Lower House appointed a committee to draw up such a bill. This bill was soon afterwards introduced and after a few changes in committee of the whole, it was passed and sent to the Upper House, where, as was anticipated, it was promptly rejected. This was the sixth successive time that a similar Service bill failed of passage. The various legislative moves in the two houses as regards this bill are narrated in more detail elsewhere in this introduction and need not be repeated here (pp. xlvi-xlviii).

A Naturalization bill for the relief of alien land holders was introduced in the Upper House at this session, passed on April 1, 1760, and sent to the Lower House. Here it was amended to exclude Roman Catholics from its benefits. The Upper House refused to agree to this discrimination and the bill failed of passage. Its course in the two houses and its subsequent fate are discussed later in this introduction (pp. lxiii-lxvi).

Under the provisions of the £40,000 Supply act for his Majesty's Service passed in 1756 imposing various taxes and duties, if the sinking fund estab-

lished under the act did not reach £40,000 by the year 1760, any deficiency was then to be met by the imposition of an additional land tax. As there was a large deficiency and this meant an increased tax burden on all landowners, the Assembly sought to take measures to avoid imposition of the additional land tax by continuing for a further period of time the imposition of the various other taxes imposed under the act, in the hope of thus wiping out or decreasing the deficiency in the sinking fund. The Lower House appointed a committee to determine the amount in the sinking fund and the additional land tax which would be required to meet the deficiency (pp. 245-247). It then passed a bill extending the period for the continued imposition of the various other taxes and duties before the onerous land tax should be imposed, which the Upper House refused to approve. A second bill with this end in view was then passed by the Lower House, which, after it was amended in the upper chamber, the Lower House refused to pass (pp. 257, 263, 214-215, 262-263, 254-256, 309-313, 220, 221). These bills are discussed in detail elsewhere in this introduction (pp. lxii-lxiii). Relief from the additional land tax was extended to landholders at the next session.

Three other bills passed by the Lower House were so amended in the Upper House that when they were returned to the lower chamber they were promptly rejected, but as copies of the bills are not recorded in the proceedings, the merits of the objections cited against them cannot now be determined. One of these bills, entitled "An Act for Reducing the Interest upon Tobacco and Money", was objected to on the grounds that the fines to be paid for its violation under the Lower House bill were to be divided between the public schools and the informer; it was so amended in the Upper House as to provide that the fines should go to the Lord Proprietary, the bill being obviously considered by the Upper House as a slap at the prerogative of the Proprietary (pp. 306-307, 313-314, 218-219). Other bills passed by the Lower House and rejected in the upper chamber, were opposed because they were thought to weaken the Proprietary's prerogative or to lessen the authority of the provincial or county courts. Two such were bills "for the trial of all matters of fact in the several counties" (pp. 237-240), and "for the speedy recovery of small debts out of court before one justice (p. 218).

Among the many petitions presented at this session were four which concern parochial or church affairs. The vestry of Port Tobacco Parish, Charles County, requested the passage of a bill which would validate the proceedings of an irregular vestry meeting held on Easter Monday in 1759 for the election of a new vestry (pp. 208, 210-211). From the preamble of the act which was passed it is revealed that "last Easter-Monday happening to be an excessive Rainy Day, it prevented a sufficient Number of the Vestrymen of the said Parish from meeting to proceed to the Election of Vestrymen and Churchwardens, by which Means the Parish aforesaid hath not been since fully Represented". The act validated any actions that might have been taken by the holder-over vestry, such as taxing bachelors, choosing tobacco warehouse inspectors, and the election of vestrymen and churchwardens (pp. 208, 323-325). Several of the inhabitants of Prince George's Parish, Frederick County, petitioned the

Assembly that authority be granted for the erection of a chapel of ease in this parish near Mr. Henry Leek's (pp. 208, 241). The Lower House referred this petition for the consideration of the next Assembly (pp. 208, 241, 243).

A bill which had its origin in the Upper House was passed by that house at the close of the session. It was entitled "an act for dividing All Saints' Parish in Frederick County and for erecting a Chapel of Ease there into a Parish Church" (p. 221). After one reading in the Lower House it was rejected (pp. 318-319). The correspondence of Governor Sharpe shows that the bill was defeated in the Lower House because some of the burgesses from that county were not in favor of the proposed dividing line (*Arch. Md.* IX, 343, 369, 397, 400). The division of this large parish was not finally made until the year 1770. The minister, vestrymen, and churchwardens of All Saints' Parish also petitioned the Assembly to grant authority to the justices of that county to raise a sum not exceeding two hundred thousand pounds of tobacco by levies upon the taxable inhabitants of that parish towards building and completing the church and chapels in the parish. This petition was also referred to the next Assembly for consideration (pp. 209, 241, 243). It will be found printed in the Appendix (pp. 502-504).

A committee of the Lower House, appointed to determine what temporary laws were about to expire by time limitation, reported that, among others, the Act of 1756, which made provision for the care of the Acadians or "late inhabitants of Nova Scotia" and for the regulation of their conduct, had recently expired. The Lower House thereupon ordered bills to be prepared to revive all expiring acts except that relating to the Acadians (pp. 239, 241). At the November-December 1758 session there had been presented a petition of "the Inhabitants of Nova Scotia Praying relief", but no action was taken on it (pp. 51, 101). These unfortunate people, who had by this time in great part either died, left the Province, become servants, or been absorbed in the general population, were no longer a group problem which made continuing legislative relief imperative, and were thereafter ignored (*Arch. Md.* LV, li).

It was at this session that the question of the removal of the county seat of Baltimore County from Joppa on the Gunpowder to Baltimore Town on the Patapsco first came before the Assembly for consideration. It was brought up in the form of "the Petition of the Inhabitants of Baltimore County Praying a Bill may be brought in enabling the Justices of said County to sell the present Court House and a Prison at Joppa, and to Buy Convenient Ground in Baltimore Town to build a new Court House and Prison therein, and the Counter Petition thereto . . . of divers and sundry Inhabitants of Baltimore County praying that the Petition of the Inhabitants in and near Baltimore Town be Rejected" (pp. 207, 235). These petitions had been read first in the Upper House and referred to the lower chamber for consideration (p. 207). By a vote of 24 to 11 in the Lower House, action upon them was deferred until the next meeting of the Assembly (p. 236). Sundry inhabitants of George Town in Frederick and Prince George's counties (now in the District of Columbia) petitioned the Assembly to amend the provisions of the act establishing that town in so far as it related to the improvement of lots (pp. 209, 241).

It would appear that Jonas Green, the Provincial printer, had been obliged to wait a long time for his pay, as it was reported that the act for the speedy and effectual publication of the session laws and for the encouragement of Jonas Green of the City of Annapolis, Printer, had expired by time limitation on December 20, 1758, since which time a number of Assembly publications had been printed by him (p. 239). A new act of similar tenor continuing provision for the publication of the session laws and of the Votes and Proceedings of the Lower House was now passed by both houses (pp. 326-328).

After the failure of the two houses to agree upon the passage of any bills of importance, Sharpe prorogued the Assembly on April 11, 1760, to meet again on July 7 following, although it did not actually meet until September 26, 1760. Only eight laws, all relatively unimportant, were passed. Of these five were acts continuing in force old laws which were about to expire by time limitation (pp. 321-323). Two local acts were also passed; one already mentioned, validated the proceedings of the vestry of Port Tobacco Parish, Charles County; and the other increased the allowances of certain tobacco inspectors in Worcester and Dorchester counties (pp. 323-325).

SESSION OF SEPTEMBER—OCTOBER 1760.

The Assembly met in its fifth session on September 26, 1760. It will be recalled that at the last session the Governor had prorogued it on April 11, 1760, to meet again on July 7 of the same year, but by successive prorogations had later postponed its meeting until September 26, 1760 (p. 320; *Arch. Md.* XXXI, 408-409).

In the Upper House the attendance was still cut down by the continued illness of William Goldsborough and Robert Jenckins Henry. The Lower House after adopting the rules of recent sessions, appointed various standing committees, and chose the Rev. Alexander Williamson of St. Anne's to read prayers twice daily. This Alexander Williamson does not seem to have been the son of the Speaker of the same name who had so recently died. Death had laid a heavy toll on the members of the Lower House since its last meeting, and new members who had recently been elected to fill vacancies among the delegates caused by death, now appeared in the house. One of these was that uncompromising leader of the popular party who was later to play such an important part as a Revolutionary patriot, Matthew Tilghman of "Bayside", Talbot County, who had served in former assemblies from 1751 to 1758 as a burgess from Talbot County, but had not been reelected to the New Assembly chosen in 1758. He was now returned as a burgess from Queen Anne's, at a special election held in May 1760, to fill the vacancy caused by the death of Thomas Harris (p. 353). Probably he had been defeated for reelection in Talbot which was stronger in its adherence to the Proprietary than was Queen Anne's. Another new member was William Thomas of St. Mary's, elected in the place of Edmund Key who had gone on a visit to England (pp. 228, 353). The Speaker on September 26, 1760, was ordered to issue warrants of election for seats made vacant by the deaths of Philip Hammond from Anne Arundel, a truculent leader of the Popular party; Alexander Williamson from Kent, a

former Speaker; Henry Ward from Cecil; and Arthur Lee from Charles; and on October 6 to fill the place of Edward Dorsey from Frederick (pp. 353, 371), but elections to fill these vacancies did not take place until after this session was over. Dorsey, although a resident of Annapolis, had for several years represented Frederick County in the Assembly; he had died at Newport, Rhode Island, where he had gone in the hope of restoring his health (*Md. Hist. Mag.* XVIII, 159-160).

The Governor opened the session on September 26 with a speech to both houses in which he declared that he had convened them because of a letter he had received from General Robert Monckton, in command of his Majesty's forces on Lake Erie and the Ohio, saying that it was absolutely necessary that Maryland furnish two hundred men and officers, who, together with troops from the neighboring colonies, would be used to relieve regular troops needed elsewhere by General Amherst. Sharpe asked that this requisition be immediately complied with, so that prompt action might in a degree remove the unfavorable opinion of the people of Maryland formed by his Majesty's generals on account of the measures that had for some time been unhappily pursued here (pp. 334, 352).

To this speech the Upper House replied with assurance of its fullest cooperation (p. 335), and the Lower House with the promise that as soon as measures have been devised to ease the landowners of the onerous tax about to be imposed under the 1756 Supply act, it would endeavor to do its duty to the King as requested by General Monckton and the Governor (pp. 354-355). Messages were sent by the Governor to the Lower House on September 29. One of these expressed his pleasure at the promise of the Lower House to further the King's requirements to preserve his rights on Lake Erie and on the Ohio. The other message informed the house that he had just received a letter from General Amherst, dated at Montreal, September 9, telling "of the Motions of the King's Forces under his Command since the 26th of August . . . in Consequence whereof, the whole Country of Canada was yielded to the Dominion of his Majesty . . . on the 8th of this Month". Sharpe congratulated the house upon this happy event, and upon the pleasure it would feel in hearing the good news (p. 356). The house in its turn congratulated the Governor, and ended its address with a quotation from the Governor's message assuring him that "our Joy on this Occasion will not be exceeded by the Joy of any of his Majesty's dutiful and loyal subjects" (pp. 357-358). The Lower House followed this with another address to the Governor asking him "to lay before us (as is usual on like Occasions) a copy of General Monckton's letter" (p. 360). This he did. In this letter dated at Fort Pitt, August 21, 1760, Monckton requested Sharpe's "utmost endeavors" to have Maryland furnish him two hundred men with officers, "as it cannot be expected that General Amherst will be able to spare any of the regular Troops now with him for the Winter Garrisons of the posts in this department" (p. 362).

The Lower House ordered its committee to bring in a Supply bill for his Majesty's Service. It again went through the usual routine in the preparation

of such a bill by adopting a series of resolves (pp. 364-365) as to what the act would provide for, which were substantially the same items named in the bill rejected at the last session, except that the number of men to be levied, fixed in committee of the whole, was now reduced to two hundred. The amount of money to be raised was fixed at £32,000 (p. 370), this to be derived by an assessment upon estates and lucrative offices and employments (pp. 365-366). The bill was passed by the small vote of 20 to 13, and sent to its doom in the Upper House, where it was immediately rejected after one reading (p. 346). Thus for the seventh time did the Assessment bill fail to pass. Its course at this session is traced in greater detail in a later section of this introduction (pp. xlviii-xlix).

A successful attempt was made at this session to relieve landholders of the additional tax on land which was about to be automatically imposed under the £40,000 Supply bill of 1756 to make good a deficiency in its sinking fund. It will be recalled that a previous attempt to do this had been made at the last session but failed because of an impasse between the two houses. It was again proposed to continue for a longer period the various taxes imposed under the old act so as to further reduce the deficiency before applying the additional land tax. The Lower House bill extended the act of 1756 for three years, an extension felt by the other house to be too long, and provided that payment of the taxes might be made in specie at a ratio to the Provincial paper currency which the Upper House thought was unsound. There were also differences of opinion as to the method of appointing commissioners to carry out the act. A compromise was finally effected fixing the period for the extension of the law at two years, and so anxious were the members of the Lower House to save themselves from the additional land tax that they acquiesced in the other two amendments made in the Upper House and the bill became a law (pp. 336-339, 357, 361, 374-375, 386-390). This matter is discussed in greater detail in another section (pp. lxii-lxiii).

A bill was introduced in the Lower House at this session for the publication of Thomas Bacon's *Collection of Laws*, and passed on October 15, 1760. It was rejected in the Upper House because the appointment of those who were to determine what acts were to be included and to see the book through the press, were, under the bill, to be selected by the Lower House (pp. 379, 383, 384). It was then ordered by the Lower House to be printed in the *Maryland Gazette* of Annapolis (Appendix pp. 514-516). The long drawn out controversy between the two houses about the publication of Bacon's Laws is reviewed elsewhere in this introduction (pp. lxxi-lxxiii).

On October 2 Governor Sharpe, in another message to both houses, stated that Lord Colville, Commander-in-Chief of his Majesty's fleet in the St. Lawrence, was shipping to Maryland a number of French prisoners, most of them soldiers, who must be provided for here until arrangements could be made to send them to England (pp. 342-343, 362-363). With the message the Governor enclosed three separate letters from Colville, all dated from Northumberland at Quebec, July 25, 1760. These letters from Colville show that the ships *Nettleton*, *Prince Frederick*, and *Volunteer* had sailed carrying

respectively eight, seven, and six prisoners with six weeks provisions for them (pp. 312-313, 362-363). The Lower House on October 7 resolved that it would make provision for transporting these French prisoners to England, and voted 15 to 14 to use for this purpose £150 current money to be taken out of "the money repaid in the Loan Office by Virtue of the £6,000 [Supply] Act" of 1754, and the Governor was so notified in an address (pp. 371, 372). A bill along these lines was drawn up in the Lower House, passed, and sent to the Upper House (p. 376). Here it was amended so as to allow a commission of five per cent to the commissioners appointed under the act, for their trouble in executing it (p. 346), but the Lower House refused to accept the bill thus amended and it failed of passage (p. 381).

Various petitions of a private character were presented at this meeting; some of them had already come before previous sessions. No petitions for the relief of "languishing prisoners" for debt were presented at this meeting, although action upon several such petitions had been referred to the "next assembly" at recent sessions. The failure to introduce the usual bill for the relief of prisoners for debt was doubtless due to the realization that the same reasons that prevented the two houses agreeing upon a bill at the November-December 1758 session would again prevent its passage (p. xxii). Hugh Corrigan and Thomas Rolles, soldiers enlisted in 1757 in the Maryland service, who had been taken prisoners by the French and sent to the Mississippi and later to Old France, asked some recompense for their services and sufferings (p. 339). The Rev. John Eversfield, rector of St. Paul's Parish, Prince George's County, petitioned for the passage of a bill to cut the entail upon certain lands (p. 340), but no action was taken upon it. A number of tobacco inspectors in Somerset and Worcester Counties petitioned for allowances for past services and additions to their present salaries (pp. 340, 359). Mary, widow of Tobias Stansbury of Baltimore County, petitioned the Assembly for legislation to further the settlement of her husband's estate by the sale of land for the payment of certain debts, and the Lower House appointed a committee of three to inquire into the facts (pp. 209, 211, 368). Legislative relief to the widow was not granted, however, until the April 1762 session.

Action upon petitions from inhabitants of Baltimore County asking for, or opposing, the removal of the county seat from Joppa to Baltimore Town, which had been referred at the last session of the Assembly, again came up at this session for consideration. After several postponements, on October 9 the Lower House by a vote of 20 to 13 again decided to defer consideration of the matter until the next session (p. 376). But it was not until 1768, however, that Baltimore Town was made the county seat.

The Governor prorogued the Assembly on October 15 to meet again the second Monday in March, 1761 (p. 385), but it was again prorogued later, and did not meet until April 13, 1761. This session was productive of little legislation of importance. Of the eight laws enacted, six were merely continuances of old laws, which were now about to expire by time limitation. It did, however, pass the bill referred to in a previous paragraph to "ease" the landholding inhabitants by postponing the payment for two years of the addi-

tional land tax (pp. 386-390). Another new act increased the pay of grand and petit jurors in the Provincial courts (pp. 394-396). Why a bill to "revive" an act "directing the manner of Punishing Fornication and Adultery before a single Justice" should have passed the Lower House, and been rejected in the Upper House is not disclosed (pp. 380, 349).

SESSION OF APRIL—MAY 1761.

The Assembly met at its sixth, and what was to be its last session, on April 13, 1761, after called meetings in March and April had several times been postponed by prorogation by the Governor (*Arch. Md.* XXXI, 437, 467). Sharpe in his speech to both houses opened with expressions of condolence upon the death of George II, and congratulations that he was succeeded by such an illustrious sovereign as his grandson, George III. He urged the Assembly to comply with the request of the new King that men be promptly raised to serve with his regular forces (pp. 399-400). As at recent sessions the Governor had transmitted to the Assembly letters from William Pitt, the King's principal minister, and from General Amherst. Pitt's letter dated at Whitehall December 17, 1760, a circular letter to the governors of Pennsylvania, Maryland, Virginia, and the Carolinas, asked the assemblies of these provinces to raise as many men as possible, to cooperate with the regular troops under Amherst, and repeated the promises contained in former letters reaffirming the status of commissions to Provincial officers appointed by the governors of the several provinces. He wrote that while arms, tents, and victuals would be furnished by the Commander-in-Chief, the forces raised were to be levied, clothed, and paid at the expense of the several provinces (pp. 400-402). Amherst in his letter dated at New York March 15, 1761, repeated the assurances contained in Pitt's letter, and requested the immediate compliance with these requisitions so as to secure more advantageous concessions from the enemy in the terms of peace (pp. 402-404).

In the Upper House a new member appeared at this session. This was John Ridout, the Governor's secretary, who had been appointed to fill one of the two vacancies in the Council caused by the death from smallpox on September 21, 1760, of William Goldsborough, and of Benjamin Tasker Jr. who had died "of a slow fever" on October 17, 1760. The other vacancy was not filled until later. In the Lower House there were also a number of changes in personnel due to death. Although warrants for new elections to fill certain vacancies had been issued by the Lower House during its last session, none of these elections had taken place until after its adjournment on October 15, 1760. The five new members who now appeared in the house were John Hammond, elected from Anne Arundel County to succeed his father, Philip Hammond, one of the most truculent leaders of the popular party; Thomas Ringgold from Kent, the wealthy Chester Town merchant, who succeeded Alexander Williamson, a former Speaker; John Veazey from Cecil, who succeeded Captain Henry Ward, another victim of smallpox; Nathan Magruder from Frederick, who succeeded Edward Dorsey, the well known Annapolis attorney who had for several years represented Frederick County in the Assembly; and William

Smallwood from Charles, later to become a distinguished Revolutionary officer and a Maryland governor, who succeeded Captain Arthur Lee lately deceased (pp. 405, 442). The Speaker was ordered to issue warrants for an election to fill the place recently made vacant by the death in the previous December of Henry Waggaman of Somerset (p. 442).

In letters to Lord Baltimore written at this time Sharpe referred to the unhealthfulness of this season and to his own indisposition, and to the toll which death had taken in the Province. Not only were the usual oaths administered to the newly elected members, but all the old members and officers of the house were required to take the oath of allegiance to the new king, George III (p. 399). John Allen Thomas was chosen clerk of the Lower House, and after his election had been approved by the Governor, he was sworn in (p. 438). He succeeded Michael Macnemara, who for fifteen years had served as clerk of this house and was now on a visit to England, described by Sharpe in a letter to Secretary Cecilius Calvert, dated December 22, 1760, as "a most turbulent Spirit" and under the influence of the Dulany family, and with the warning to Calvert that he would seek the ear of Pitt or of Fox to influence them in favor of the activities of the Lower House and against the Proprietary government (*Arch. Md.* XXXI, pp. 483, 547-548). Captain Robert Sanders as sergeant-at-arms, and Andrew Buchanan as door keeper also took the oaths to the new King (p. 439). The Rev. Samuel Keene who had just arrived in the Province and was now officiating as curate at St. Anne's in Annapolis, was selected by the Lower House to read prayers twice daily, the Rev. Alexander Williamson, who had officiated at recent sessions, having been transferred from St. Anne's to Prince George's Parish, Frederick County (p. 439). The former rules of order were adopted (pp. 439-440). Richard Tilghman III and William Wilkins qualified as clerks of certain committees by taking the prescribed oaths (p. 450). The latter was apparently the son of the William Wilkins of Annapolis who had served in a similar capacity at former sessions but who had died a few weeks previously. Richard Tilghman III was a member of the noted family of that name of the "Hermitage", Queen Anne's County.

This session, or as the Upper House styled it, "convention", of the Assembly was to be even more fruitless than its predecessor, for as a result of the impasse between the two houses, no legislation whatever was enacted. The subjects which caused the greatest contention between the two houses were: the Supply or Assessment bill; the form of the address of condolence to George III on the death of his grandfather and predecessor George II; the Henry Darnall defalcation of Provincial funds; the support of a provincial agent in Great Britain; the adoption of the Journal of Accounts; the publication of Bacon's *Collection of Laws*; and the establishment of a college at Annapolis. As all these controversial questions are discussed in considerable detail elsewhere in this introduction, their fate at this session need only be briefly touched upon here.

The Supply, or Assessment, bill went through the same routine in the Lower House at this session as it had at preceding sessions. The usual resolves were

passed defining the scope of the appropriations to be made under it. The number of men to be levied was fixed in this bill at four hundred. An assessment upon estates and incomes was voted as the method of taxation, and the amount to be raised fixed at £40,000. It was passed by the Lower House on April 25 by a vote of 23 to 13, and rejected after one reading in the Upper House (pp. 445-449, 461, 463, 420). This marked the eighth rejection of the Assessment bill. No copy of the bill is known to exist. It was probably almost identical with that passed at recent sessions, except as to the amount appropriated and the number of men to be levied, although there is reason to believe that in addition it may have contained an allowance for a provincial agent in Great Britain, apparently not included in former Supply bills (*Arch. Md.* IX, 519).

The two houses also split on the adoption of a joint address of condolence to the new king George III upon the death of his grandfather and predecessor George II, and of congratulation upon his own accession to the throne. The Lower House insisted upon the inclusion in the address of a paragraph praying the King to allow the people of Maryland to maintain an agent in Great Britain through whom they might lay their grievances directly before him. This was of course violently opposed by the Upper House. Separate addresses of condolence and congratulation were then drawn up by each house, although there is reason to believe that the address of the Lower House never actually reached the King. This story is told more fully elsewhere in this introduction (pp. lx-lxii). A bill was also introduced in the Lower House at this session for the support of an agent in Great Britain (p. 473), but does not seem to have been pressed for passage, possibly because it was known that rejection was inevitable in the Upper House, and it was hoped that a direct appeal to the Crown might bring about the desired result in another way.

The embezzlement of over £2,000 of public funds by Henry Darnall, Naval Officer of the Patuxent District and a former Attorney-General, was discovered during this session by a joint committee of the two houses appointed to examine the accounts of the Loan Office. Darnall, a member of the very prominent Roman Catholic family of that name, of the "Woodyard", Prince George's County, and closely related to the Carrolls, promptly absconded, and his brother John Darnall and Charles Carroll of Annapolis (father of Charles Carroll of Carrollton), sureties on his bond, immediately paid over to the trustees of the Loan Office £1,000, the amount of their joint bond, which was about half the sum embezzled. This episode gave an opportunity for an anti-Catholic outbreak in the Lower House, because Darnall, unquestionably always a Catholic at heart, had outwardly conformed to the Established Church in order to hold public office. Sharpe had been asked in 1755 to remove him as Attorney-General on religious grounds, but had refused to do so (*Arch. Md.* LII, 159-160). This sensational scandal is treated fully in a later section (pp. lv-lviii).

At this session there was made the first thorough examination of the accounts of the Loan Office that had been made during the life of this Assembly. Repeated attempts by the joint committee of the two houses to audit these accounts had been prevented by the prolonged illness of Richard Dorsey, the

clerk of the Loan Office, who had died September 11, 1760. This examination resulted not only in the discovery of the Darnall defalcation but the fact that other Naval Officers had been dilatory in making payments to the London trustees of the Province of export tobacco duties collected by them, and that the trustees had failed to invest all these funds in Bank of England stock, as required by law.

The struggle between the two houses on the adoption of the Journal of Accounts flared up again at this session, but no agreement was reached and the payment of the accumulating public charges was still further postponed. Not only was the inclusion of various controversial items opposed by the Lower House on the grounds that they were properly chargeable to the Proprietary and not to the public, but the refusal of the Committee on Accounts of the Lower House to allow representatives of the Upper House to inspect the original accounts in its possession, resulted in the passage of a resolution by the upper chamber, which was published in the *Maryland Gazette*, that it would thereafter pass no accounts unless the originals, or certified copies of them, were presented for its inspection. It is to be noted that Charles Pratt, Attorney-General for the Crown, in an opinion had declared that the authority of both houses to examine and approve accounts was unquestionable, and that the claim of the Lower House that it, like the House of Commons, alone had authority over all money matters, could not be justified (pp. lxviii-lxix, 203).

A final, although unsuccessful, effort was made at this session to bring about, with Assembly sanction, the publication of Bacon's Collection of Laws. The story of this long continued attempt is narrated in detail elsewhere in the introduction of this volume (pp. lxxi-lxxiii), and in the preceding volume of the Archives (*Arch. Md.* LV, li-iii), so need not be repeated here. The bone of contention between the two houses was the question of the inclusion in the Collection as a law still "in effect" or "in force" of the Tobacco Export Duty Act of 1704, under which the Lord Proprietary appropriated for his personal use the twelve pence duty collected on every hogshead shipped out of the Province. The Lower House was willing that this act be included in an Appendix and marked as "in use", but not as "in force". The Upper House, of course, refused to agree to this and the bill failed of passage (pp. 427, 429, 432-433, 470-473, 475-477, 482, 483).

A renewed effort to establish a college in Maryland at Annapolis was made at this session but without result (pp. 461, 488-490, 492-496, 496-497). The story of this serious attempt to further the cause of higher education in the Province is also fully narrated in another section, so need not be repeated here (pp. lxvi-lxviii). A committee was also appointed by the Lower House "to examine into the State of the Assembly Office, and the other public Offices, and the Repository where the ancient Records are kept, and report the same to the House" (p. 445). Such a report, if made, does not seem to have been preserved.

The two houses also split on the adoption of a number of other less important bills because the Upper House felt that as framed they infringed upon the prerogative of the Lord Proprietary. Thus bills "for the trial of all Matters of Fact in the several Counties where they have arisen" and "for issuing Writs

of Replevin out of County Courts" were passed by the Lower House, and lost in the Upper House (pp. 451, 479, 483, 494, 429, 431). These bills which were intended to broaden the jurisdiction of the local county courts were favored by the Lower House because they tended to decentralize the administration of justice, now largely vested in the provincial courts at the seat of government, and as being conducive to the convenience of the inhabitants.

For many years the Lower House had been resentful of the appropriation by the Proprietary for his personal use of fines and forfeitures not expressly granted to him by acts of the Assembly, which he claimed as his prerogative under his charter. Again at this session this question came up, and the Lower House appointed a committee of five to enquire by what right he did so. This committee was also directed "to enquire into the usual method of obtaining Replevins in England" (p. 450), as it was felt by the Lower House that the present procedure involved unnecessary court expenses and inconvenience to litigants.

Parochial and church matters came before the Assembly in the form of sundry petitions requesting enabling legislation. As no laws were passed at this session none of the petitioners were granted legislative relief. The rector, vestry, and wardens of St. Stephen's Parish, Cecil County, asked for the passage of a bill to validate certain vestry proceedings which had not been conducted according to law. In the Lower House such a bill was passed, to be smothered with other legislation in the Upper House (pp. 410, 455, 458, 473, 484). An act to this end was, however, passed at the session of 1762, and reveals that the smallpox epidemic had prevented the annual vestry election. A petition from the Rev. Charles Lake, rector of St. James' Parish, Anne Arundel County, and from the Rev. John Barkley, rector of All Hallows in the same county, praying a division by law of their parishes was, however, rejected by the Upper House without reference to the lower chamber (p. 410). A petition from All Saints' Parish, Frederick County, was read in the Lower House on April 23 and promptly rejected (p. 448). Its contents are not revealed by the journal of this house, but it unquestionably related to the proposed division of that large parish then presided over by the Rev. Thomas Bacon. It was favored by the Upper House and the Lord Proprietary, but had been held up in the Lower House at the last session because some of the delegates from that county could not agree upon the line of division proposed by the upper chamber (*Arch. Md.* IX, 400).

Other petitions of general, local, or private character were presented at this session. For undisclosed reasons no general bill for the relief of "languishing prisoners" for debt in various county jails was offered at this session, probably because of the demand of the Upper House that debtors to the Proprietary be exempted from its benefits, although the Lower House just before it was prorogued, ordered that a bill be drawn up for the relief of certain debtors languishing in Frederick County, but adjournment took place before this bill was introduced (pp. 425, 477, 494). Certain inhabitants of Chester Town, Kent County, again sought the passage of an act to enable them "to hold a

Market in the said town" and to provide for its regulation, and a bill to this end passed the Lower House (pp. 410, 458, 490, 495, 431), but the requested legislation was not enacted until the year 1762. The petition of the tobacco inspectors of Elkridge Landing, Anne Arundel County, asking for an increase in their salaries was favorably acted upon in the Lower House, as was a petition asking for the erection of a public tobacco warehouse in Vienna Town, Dorchester County (pp. 410, 484, 485, 430); acts to this end were passed at the 1762 session. Following the presentation of a petition, a bill was brought in "to preserve the Breed of fish in the Susquehanna River", which was passed in the Lower House by a vote of 21 to 9 and sent to the Upper House, where like all other legislation, it died (pp. 495, 432). A petition asking the Assembly to prohibit "fixing any Wares [fish weirs] in Patuxent River . . . or obstructing the natural Channel" was not considered before adjournment (p. 431). Nor was action taken upon a petition to make the Patuxent navigable, "which it was ordered should be submitted to Mr. Richard Snowden", the wealthy iron merchant and a large landowner of that neighborhood. This petition seems to have sought to exempt the Patuxent River from the operations of the act of 1735 relating to the preservation of harbors and the erection of weirs (p. 410).

Various individuals on their own behalf, or in their administrative capacity, presented petitions requesting legislation. James Holliday Jr., the legal representative of James Holliday Sr., late of Queen Anne's County, deceased, and late Treasurer of the Eastern Shore, petitioned the Assembly to grant him authority to draw upon the Provincial funds deposited with William Hunt, a London merchant, by the elder Holliday, to enable the younger Holliday to make certain adjustments necessary to settle his father's estate and to pay certain sums for the use of the Dorchester County school (pp. 409, 431, 458, 482, 484). The widow and administratrix of Tobias Stansbury, late of Baltimore County, asked authority to sell certain lands for the payment of her late husband's debts (pp. 431, 450, 451, 494). Although no action was taken upon these two petitions at this meeting, they came up and were acted upon at the 1762 Assembly. The executors of John Paca, late of Baltimore County, requested the passage of an act to permit the sale of certain lands to pay the debts of William Hammond, deceased (pp. 427, 487). Action upon this was also deferred until the next session, but the necessary legislation was not passed until 1763. William and Mary Clason, executors of Gamaliel Butler, asked legal authority to sell certain lots in Annapolis (pp. 405, 451), but the requested legislation was passed not until 1762. Petitions from a number of Maryland "volunteers at Fort Duquesne" praying that an allowance may be made them for their Trouble and Fatigue", and one from a maimed private, who had served under Colonel Dagworthy, begging "relief", were referred to the next Assembly (pp. 408, 419, 400, 451). Why Dr. Upton Scott, a prominent physician of Annapolis, should have petitioned the Lower House, and why the petition should have been so promptly rejected, remains a mystery (pp. 465, 470).

As the impasse between the two houses prevented the passage of any legislation at this session, the Governor on May 6, 1761, prorogued the Assembly

at this its sixth session, to meet again on the first Monday of the following August. But it was not destined to meet again, for after once more proroguing it until October 3, the Governor and Council on September 25 ordered that it be dissolved, and directed the issuance of writs, dated September 26, for the election of a new Assembly, returnable November 17, 1761 (*Arch. Md.* XXXII, 4, 16). The first meeting of the new Assembly took place on March 17, 1762.

THE SUPPLY OR ASSESSMENT BILL.

Since the April–May 1757 session no “Supply bill for His Majesty’s Service” had been passed by the General Assembly of Maryland and become a law. From that time to the close of the period covered by this volume, 1761, eight Supply bills designed to meet the military requirements of the Province had been passed by the Lower House and rejected in the Upper House. These eight bills, while varying in such details as the amount of money which was to be raised under each, the number of troops to be levied, and how this money was to be expended, were all alike in employing a form of taxation entirely new to Maryland, and were framed by the Lower House, not so much to aid in prosecuting the war as in the hope of weakening the prerogative of the Lord Proprietary, and were for this reason violently opposed in the Upper House. Five of these bills were passed by the Lower House during the six sessions of the Assembly whose proceedings are recorded in this volume and promptly rejected in the upper chamber.

The form of taxation proposed was an income tax, varying from ten to seven and a half per cent, upon earnings from professions, benefits, public offices and various occupations, as well as a tax upon the assessed value of personal property and land. The income taxes were to be paid by all public officials, including the Governor, and the land tax was also to be imposed on the uncultivated lands held by the Proprietary. The Upper House especially opposed the taxes levied upon the Proprietary and the Governor as a challenge to the Proprietary’s prerogative. It also opposed on the same ground various administrative features of the bill, such as the appointment by the Lower House alone of the commissioners who were to enforce it, the curtailment under the terms of the bill of the authority of the Governor in the disposition of troops after they were in service, and various administrative features. The course of the bill through the several sessions will now be traced in detail.

Although Sharpe had in August 1758 ordered the election of a new Assembly on the chance that it would be less obdurate to his wishes in enacting a Supply bill satisfactory to the Upper House than the Assembly which had just expired, his correspondence shows that he was not very optimistic as to the result. He had written to Secretary Cecilius Calvert under date of August 28, 1758, that although he had issued writs for a new election he did not believe a satisfactory measure eliminating the assessment features of the bill, already sent up four times by the Lower House and as often rejected by the upper chamber, could be passed unless the home government decided against the Pennsylvania Assembly in a similar dispute which the latter was then having with the proprie-

taries of that province (*Arch. Md.* IX, 257). It is needless to add that the British government did not do so. Although the new Maryland Assembly met in October, 1758, with a slightly smaller popular majority, it showed no disposition whatever to yield on this measure.

At the first meeting of the new Assembly, at its *October–November 1758 session*, when the subject matter of the Governor's speech came under consideration in the Lower House, it was resolved on October 28, 1758, that out of the first supplies granted for His Majesty's Service a sum sufficient for the purpose be appropriated to reimburse General Forbes for the money he had advanced for the pay, victualing and clothing of the Maryland troops from the time the previous appropriation for this purpose had been exhausted until the men in the service of the Province were taken into the King's service by Forbes; and also to reimburse Forbes for the pay and clothing of the Maryland troops, now in the King's service, until the end of the present campaign. It was further moved and carried by a vote of 27 to 19 (out of a total Lower House membership of 58) that funds for a Supply bill should be raised by "an equal assessment on all estates, real and personal, and on lucrative offices and employments", a method which the Lower House well knew would not be agreed to by the Upper House (pp. 26–27). Those members who voted against this measure represented the Proprietary vote then present in the Lower House. The Assembly was suddenly prorogued, however, before further action could be taken in the preparation of a Service bill at this session.

At the *November–December 1758 session* the Lower House on November 28 resolved, as it had at the previous meeting, that it would out of the first money provided reimburse Forbes for any payments he had made to the Maryland troops for their services before he had taken them over for the Crown and also for their clothing from the time they were in the service of the Crown until the end of the present campaign. To Forbes' request for five hundred men to guard the Maryland frontier during the winter, the house resolved by a vote of 30 to 17 that the number be fixed at three hundred, and by a vote of 32 to 15 it was decided that they should be stationed at Fort Frederick to be used as rangers to protect families on the frontier (pp. 76–78).

The house then ordered that a committee headed by Edward Tilghman determine the amount of money required for current military purposes and to repay Forbes for his advances; the amount still due for quartering the troops during the winters of 1756 and 1757; and to estimate the costs of raising, paying, and clothing three hundred men to guard the Province (p. 78). This committee reported on November 29 with an itemized estimate that £14,000 was needed to reimburse Forbes, £1,500 for the back charges for winter quartering five hundred soldiers in Annapolis, and £1,400 for winter quartering in Kent and Cecil counties, and that about £7,500 would be needed for bounty money and the pay, clothing, and subsistence of the three companies of a hundred men each that it was proposed to raise. These items alone came to a total of nearly £25,000. It was thereupon further resolved that £30,000 be raised, a figure later increased to £36,000 (pp. 79–81). By a vote of 28 to 19

it was resolved in committee of the whole that this sum be raised by an assessment on all incomes derived from occupations, professions and lucrative offices and by a tax on real and personal property. A committee headed by Edward Tilghman was ordered to draw up a bill on these lines (p. 82). A motion to include in the bill a provision for the payment of the militia, that at the Governor's "request" marched to the defense of the frontier, and to pay those who provided for them, was defeated by successive votes of 38 to 8, and 34 to 12 (pp. 86-87). The Lower House on December 6 requested the Governor to furnish a statement showing in detail the amounts which had been advanced by Forbes for the support of the Maryland troops formerly in the pay of the Province (p. 90). The Governor reported that £2,400 had been advanced to pay Maryland officers, most of which had been spent at Fort Frederick for clothing and other necessaries, and that Dr. Ross had spent £2,700 for provisions before the troops had joined Forbes, and for the support near the forts of the friendly Indians (p. 91).

After the bill had been introduced in the Lower House, a vote in committee of the whole was taken upon the double tax imposed by it on Roman Catholics, and this feature was approved, 31 to 7 (p. 101). The Lower House appointed a committee to estimate the cost of clearing a new road from Fort Frederick to Fort Cumberland, which it was felt would not only facilitate the carriage of warlike stores and provisions, but would also tend to open up the back country for trade and settlement (p. 103). This committee, through Colonel Thomas Cresap, reported on December 15 that the distance between these forts by the existing wagon road was at least eighty miles, that the present road crossed the Potomac twice and for four months of the year this river could only be crossed in boats, and that a good wagon road without river crossings could be constructed at a cost of not over £250, which would be altogether on the north side of the Potomac and of a length of not over sixty miles. Itemized estimates were submitted as to the cost of each section of the road between the several local points named in the report (pp. 104-105). The house then ordered that a sum of £250 be included in the Supply bill for this purpose (p. 106). The bill itself was passed on December 16 by a vote of 30 to 19, those voting against it representing the full strength of the Proprietary party present (pp. 106-107). It was received by the Upper House the same day and rejected two days later without explanation (pp. 52, 53, 54). There is no reason to believe that the Lower House brought forward in good faith this Supply or Assessment bill, now rejected for the fourth time by the Upper House, as the proposed method of taxation would have weighed heavily upon certain well-to-do members of the Popular party, who so stubbornly advocated and voted for it as an attack upon the Proprietary's prerogative, but passed it, knowing that it was a perfectly safe gesture and that the Upper House would reject it.

At the third, *April-May 1759 session*, the Lower House, sitting as a committee of the whole, on April 6 again took under consideration, for the fifth time, the preparation of a Supply bill, in response to the Governor's opening speech and the accompanying letters, and also the purposes for which the money should be spent. By a vote of 27 to 7 it decided to make provision for levying, clothing,

and paying one thousand men to act in conjunction with the King's regular forces under General Stanwix; that £12 bounty money be paid to each man who enlisted; that one hundred additional men be raised as rangers to patrol the frontier, but it refused by a vote of 23 to 13 to require that they be stationed at Fort Frederick (pp. 166-167). It then adopted the same resolves that it had passed at the preceding session: to pay the Maryland troops the arrears due them, and to reimburse Forbes for the advances he had made; and it further resolved to pay the militia and volunteers who since the Braddock expedition had marched at various times to the defense of the frontier at the Governor's request, as well as those who had supplied provisions and necessities to them; and also to reimburse those who had quartered the King's regular troops in winter in Cecil and Kent counties and in Annapolis. It also resolved that £250 be spent for clearing a new road from Fort Frederick to Fort Cumberland as recommended by a committee at the last session (pp. 167-168).

A committee headed by Murdock of Prince George's County was appointed to determine the amount required to carry out the above resolves, and on the same day handed in its itemized report. It was estimated that a total of £52,152—15—0 would be required, of which £14,000 would be needed for reimbursing the advances made by Forbes; £1,500 for the charges for quartering five hundred regular soldiers in Annapolis during the winter of 1757; £1,400 for quartering soldiers in Kent and Cecil counties in 1756 and 1757; and £6,000 to pay the several companies of volunteers sent by the Governor to the frontier; and that the balance, £29,252—15—0, would be needed to levy, clothe, and pay one thousand troops and one hundred rangers for a period of six months. It was resolved on April 7 that a total of £60,000 be provided under this bill; and by a vote of 25 to 12, the Proprietary party voting solidly against it, that this be raised "by an equal assessment on all estates, real and personal, and lucrative offices and employments". A committee of six, again headed by Edward Tilghman, was appointed to prepare a bill to this end (pp. 168-171).

On April 9 in a message from the Governor to the Lower House transmitting letters from Pitt, Amherst, and Stanwix, he urged that the Assembly comply at once with the reasonable requests of the Crown, but concluded by saying that if, after mature deliberation, they intended to adhere to exactly the same plan for raising the money required which had already been four times rejected by the Upper House, and would refuse to consider any of the methods of taxation by which money had been raised in the past, they would oblige him by so informing him at once, in order that Amherst and Stanwix might be advised immediately and take measures accordingly (pp. 172-173). Irritated by the Governor's message, the house voted, 26 to 19, to refuse to give a direct answer in reply to his question whether it would agree to any other plan of taxation for raising the funds needed. While it refused by a vote of 31 to 13 to reduce the number of men to be raised from one thousand to four hundred, it did resolve by an unrecorded vote to reduce the number to six hundred, for which it estimated £12,000 would be required (pp. 174-175). In a petulant

message to the Governor, the Lower House expressed concern that on every occasion he should seek to throw the blame on the Lower House for the failure of the Assembly to pass a Supply bill, and that he should intimate that the censure upon the Assembly contained in Pitt's letter was intended to apply to the Lower House. It added that it would certainly pass a Supply bill of its own making, and not one that was suggested by the other branch. With this message, approved by a vote of 27 to 19, the house sent to the Governor a copy of all its resolves on the subject of the bill, with the request that they be transmitted to his Majesty's generals (pp. 176-178, 179-181). The bill was passed on April 14 by a vote of 28 to 19 (pp. 182-183), sent to the Upper House on April 16, where, for the fifth time it was thrown out, this time on one reading, with a brief message that it was rejected for the same reason as it had been on four previous occasions (p. 185).

An attempt in the Lower House, probably by certain members of the Proprietary party, to introduce a compromise tax measure failed, when three days later, a motion was made and voted down, 23 to 12, that a £50,000 Supply bill be offered, the money to be raised by taxes on land, poll taxes, taxes on negroes, ferries, pilots, wheels, clocks, watches, saddle horses, and perukes, and by an assessment on all lucrative offices, places of profit, benefits, and professions (pp. 190-191). Immediately after the rejection of the compromise proposed on April 17 Sharpe sent an address to the Lower House in which he requested a categorial answer to his former question, whether or not the Lower House "were Resolved on no Account to propose to agree to any Supply bill, beside that which the Gentlemen of the Upper House have now five times refused to pass" so that he could notify General Stanwix to-morrow of their determination (p. 191). After the house had, by a vote of 22 to 11, refused to consider the Governor's message (pp. 191-192), he promptly on April 17 prorogued the Assembly until July 16, as they "seemed to have lost Sight" of the discharge of this duty in the "unreasonable Pursuit of other Objects", and as there is "not the least Glimmering of Hope" that they will make amends for their former failures (pp. 191-193).

At the *March-April 1760 session* the Lower House on March 25 began consideration of a Supply bill by adopting the usual resolves as to its scope and the means by which the money was to be raised (pp. 232-234). Except as to certain minor details, these resolves were identical with those adopted at the two previous sessions (pp. 78-79, 166-168). The amount of money to be raised under the bill, £60,000, was the same as that provided in the preceding Supply bill (p. 168). The Lower House sitting as a committee of the whole then voted, 27 to 7, that this be raised by an equal assessment on all estates, lucrative offices, and employments (pp. 233-234). A committee headed by Philip Hammond was ordered to bring in such a bill (pp. 234-235).

The bill was promptly introduced, so promptly that there is no reason to question that it was the identical bill which had been before recent sessions. After it had been amended in committee of the whole by a vote of 23 to 9 to read that any overplus of funds arising from it might be expended as the Assembly should direct, it was passed, 26 to 6, on March 29, 1760, and sent

to the Upper House (pp. 236-238). When it reached that house it was read once and immediately rejected, and returned without comment to the Lower House (pp. 208-209). Thus for the sixth time the two houses split on the rock which Sharpe had urged the Lower House to avoid, and the Supply bill again failed of passage. On April 8, the Lower House ordered that the rejected bill be printed with the votes and proceedings of that house, and that an allowance to the clerk of the house be included in the Journal of Accounts for entering it upon its journal (p. 265). It will be found printed on pages 263-306. It was also printed by order of the Lower House in separate pamphlet form together with two other rejected bills, viz., the Naturalization bill drawn up in the Upper House and amended in the lower chamber (pp. 309-313), and the bill for the relief of landowners about to be unduly taxed under the £40,000 Supply bill of 1756 (pp. 257-262). This Supply bill is an enormously long one, occupying forty-three printed pages of this volume. It can be compared with the similar Supply bill that was passed by the Lower House at the September-December 1757 session and rejected by the Upper House, printed in full in the preceding volume of the *Archives*, which it resembles in essential features, but varies in the arrangement and order of its paragraphs (*Arch. Md.* LV, 707-750). Its income tax features will be found on pages 270-271.

On April 9, the day following the rejection by the Upper House of the Supply bill, the Governor sent a message to the Lower House saying that, as the Honorable Colonel Howe was returning to New York to-morrow, he would be glad to know what reply he was to send to General Amherst's letter communicated to them at the opening of the session, especially as the day was near at hand when his Excellency desired that the Maryland forces to be raised be ready to march (p. 306). To this the house rejoined that in its bill which had been just rejected by the Upper House it had done everything "consistent with its constitutional rights" that could be expected from the King's dutiful and loyal Maryland subjects and could do no more (pp. 308-309). The Governor's reply was to prorogue the Assembly until July 7, 1760. Reference to the Supply bill at this session ends with an address from the Upper House to the Governor, under date of April 10, in which that house justifies its rejection of the bill on the grounds that it "is essentially the same with the five Bills we had in as many Sessions before Dissented to . . . and is the same with that His Majesty's Attorney General in the Opinion Communicated to General Assembly at the Commencement of this Session held to be Absurd, unreasonable, against the Duty we owe to the Mother Country . . . and to have a Tendency to erect a Power and Authority in the Lower House which neither the Crown nor the Parliament would ever suffer them to Exercise" (pp. 223-224). This reference is, of course, to the opinion given in 1759 by Charles Pratt, Attorney-General of the Crown, to Frederick Lord Baltimore in regard to the constitutionality of various measures which the Lower House had endeavored to force upon the Upper House (pp. 202-204). It is discussed at length in a later section of this introduction (pp. li-iii).

At the *September-October 1760 session* of the Assembly, before proceeding to introduce a Supply bill for His Majesty's Service, the Lower House as usual

adopted a series of resolves as to the scope of the bill, which were almost identical with those adopted at recent previous sessions, except that there was a sharp reduction in the number of men to be levied, and the amount to be raised was almost halved. The bounty money offered for enlistment was also lowered from £12 to £6, doubtless because the prospect of fighting was greatly lessened by the recent successes of the British arms on the Ohio and in Canada (pp. 233-234, 364-365). At the same time, by a vote of 19 to 13, the House deliberately destroyed all hope of the passage of any act to make effective its resolves by adopting a motion, of course unanimously opposed by members of the Proprietary party, that the required funds be raised by the already five times rejected method of an assessment on all estates and an income tax on those who enjoyed lucrative offices and employments (pp. 365-366). A committee headed by Edward Tilghman, with Matthew Tilghman, Carroll, Murdock, and Hanson as members, were directed to bring in a Supply bill for raising the necessary funds; and another committee headed by Michael Earle of Cecil, with Gassoway, and Hanson as members, was directed to bring in estimates of the amounts required to comply with the several resolves (p. 366). The latter committee reported, with detailed estimates, that these resolves called for an expenditure of £27,523—10—0, of which £4,373—10—0 was needed for enlisting, paying, and clothing two hundred men for six months; and £23,150 for repaying the advances made by Forbes, for the costs of winter quartering the soldiers in Annapolis and in Kent and Cecil counties in 1756 and 1757, for the expenses of the "volunteers" (militia) sent by the Governor to guard the frontiers, and for building a new road from Fort Frederick to Fort Cumberland (pp. 368-369). The house thereupon fixed the total amount to be raised under the proposed Supply or Assessment bill at £32,000 and the number of men at two hundred (p. 370). When the bill was introduced it was amended in the house by a vote of 23 to 10 to read that no import taxes to be imposed under it on goods should be construed to extend to those imported from Great Britain (p. 377). British goods were doubtless exempted because of the warning contained in the opinion of the King's Attorney-General Charles Pratt, that such levies would not be tolerated by the home government (pp. 203-204). Thus amended it was passed on October 11 by the small vote of 20 to 13, and sent to the Upper House (pp. 377-378). That only 33, out of a total membership of 58, are recorded as voting indicates that nearly half the members had returned to their homes. In the upper chamber it was immediately rejected after a first reading (p. 346). Thus for the seventh time the Assessment bill failed of passage. No messages passed between the two houses in regard to the causes for its rejection. No copy of this bill is known to exist, but it was unquestionably identical as to the methods of taxation employed with the Supply bill rejected at the last session and printed in full in the journal of the Lower House (pp. 263-306).

At the *April-May 1761 session* of the Assembly, which was the sixth and last sitting of the Assembly that had been elected in September, 1758, the Lower House went through exactly the same farcical proceedings that had been

enacted at recent sessions, by passing, now for the eighth time, a Supply or Assessment bill for His Majesty's Service in order that it might be rejected by the Upper House, although the Governor and the two houses had long since ceased to exchange acrimonious addresses and messages justifying the respective position of each on the subject. The necessity for raising a force of men in the Province to cooperate with the British troops had been brought before the Assembly by the Governor in his opening address and in the recent letters from Pitt and Amherst to him. On April 16 the Lower House voted, 24 to 20, against a motion that the number of men to be levied be fixed at two hundred, and, then by a vote of 23 to 20 raised the number to four hundred (pp. 445-446). The same resolves were adopted as to what the Supply bill should provide for as had been passed at preceding sessions, and which have already been fully discussed. It was then once more decided by a vote of 24 to 20 that the money for this purpose be raised by an assessment on all estates, real and personal, and an income tax upon lucrative offices and employments. This majority of only four for raising the money by the assessment plan shows a falling off in the number of middle of the road members of the popular party who were willing to favor indefinitely this method of taxation (pp. 447-448). Commenting on the small majority by which the assessment bill had been carried, Sharpe, in a letter to Secretary Cecilius Calvert, April 19, 1761, declared that if patronage were used wisely in the Lower House to continue the interest of moderate men towards the government, rather than to purchase unruly members of the opposition by shrievalties and other offices, as Calvert had suggested, a moderate majority might soon be obtained for some other method of taxation (*Arch. Md.* IX, 502-503, 507). A committee appointed by the Lower House reported with detailed estimates that at least £32,665 would be required (pp. 448-449). Another committee of which Edward Tilghman was chairman was then instructed to prepare a Supply bill for raising £40,000 and such a bill was introduced and passed on April 25 by a vote of 23 to 13, the Proprietary party of course voting against it (pp. 461, 463). In the Upper House it was rejected for the eighth time, and returned without comment to the Lower House (p. 420). An attempt was then made in the Lower House to raise one hundred men to garrison Fort Cumberland and Red Stone Creek and its crossings, apparently brought forward by Henry Wright Crabb and Colonel Thomas Cresap of Frederick County, but was voted down 31 to 4 (p. 479). As far as is known no copy of the Supply or Assessment bill introduced at this session is in existence, but it is certain that it differed in no important way from its predecessors, which had been previously rejected seven times in the Upper House. A letter from Sharpe to Secretary Cecilius Calvert, dated May 10, 1761, indicates that it may have contained an appropriation of three or four hundred pounds for the support of a provincial agent in Great Britain (*Arch. Md.* IX, 519). An unsuccessful attempt was to be made again in the new Assembly when it first met on March 17, 1762, to pass a Supply bill of the same tenor as the eight which had already failed of passage in the Upper House.

THE LEGAL OPINION OF CHARLES PRATT, ATTORNEY-GENERAL OF THE
CROWN, ON THE CONSTITUTIONALITY OF THE SERVICE BILL.

Pratt's opinion as to the constitutionality of the position taken by the Lower House on the various questions now at issue between it and the Proprietary as brought forward by the Supply bill and other Lower House measures, is of considerable interest. This opinion had been rendered to Frederick, Lord Baltimore, in 1759, and was transmitted to the Assembly at the March-April 1760 session (pp. 202-204). As we have not before us, however, the statement of the Proprietary's case upon which Attorney-General Pratt's opinion was based, we cannot say how it was presented to him, but since many of the Proprietary's claims seem to be brushed aside, the opinion seems to be an eminently fair one in the light of existing law. It is given under thirteen headings and covers the following matters in dispute: (1) *Nominations of commissioners by the Lower House.* The commissioners to administer various Supply acts must be appointed by both the houses of the Assembly and not by one house or by the Proprietary. While the latter's power under his charter to appoint constitutional officers is not to be questioned, these administrative commissioners under the Supply bill do not fall within this class. (2) *Insufficiency of the allowances to the commissioners of the Loan Office.* His Lordship need not meddle with this question of fees; it is to be decided by the Assembly. (3) *Additional duties required of the Proprietary's officers, his agent, and receiver.* New duties cannot be imposed upon them unless they receive additional compensation. (4) *The duties required of sheriffs.* Additional duties are to be determined by the Assembly and not by the Proprietary. (5) *Power of the Upper House to examine claims and accounts.* This unquestionably rests in both houses; the colonial assemblies are regulated by their charters, usages, and the common law of England, so that the power of the Lower House in money matters cannot be compared with, or extended to, that of Parliament, where the House of Commons stands upon its own laws and rights—the Lex Parliamenti. (6) *Narrowness of the exemption of persons to be assessors under the Supply bill.* The Proprietary has nothing to do with this. (7) *The double tax on non-jurors [Catholics].* The Proprietary would do right to join with the Upper House in opposing the proposed double tax directed against Catholics as a breach of public faith. Only dangerous practices and disaffections in the papists would justify such discrimination. (8) *The clause enabling debtors and creditors to retain certain money.* The Proprietary should not meddle with this absurd suggestion. (9) *A tax on non-residents and on imports.* The mother country will never endure an impost upon her trade. The original right of the English importer [exporter] cannot be invaded or diminished by the Province. (10) *Tax on tenants for life.* The Proprietary will leave this to be settled by the Assembly. (11) *Tax on uncultivated land.* This should be resisted by the Proprietary because it is unreasonable and directed principally at his estate. (12) *Tax on plate and ready money.* The Proprietary has nothing to do with this. (13) *Tax on the Governor.* This proposal to subject the Governor to taxation under the Supply bill is rather uncivil and unjust, and the Upper House would do well to oppose it. The Attorney-General con-

cludes his opinion with the warning to the Proprietary, that he should resist the disposition of the Lower House to assume the privileges of the House of Commons, for it was certain that neither the Crown nor Parliament would permit a branch of the colonial assemblies to entrench themselves with the power and authority of the British House of Commons (pp. 202-204).

DISPUTED ELECTIONS.

The Lower House at the *October-November 1758 session* devoted most of its attention to a consideration of the disputed or "controverted" election case that had for its purpose the unseating of Dr. George Steuart, returned as a delegate from the city of Annapolis, whose seat was again contested by Henry Woodward as it had been at the March-May 1758 session. Dr. Steuart, that staunch adherent to the Proprietary cause, was especially odious to the popular majority in the Lower House, and an effort was now made to void his election on the entirely untenable ground that no aldermen of the city of Annapolis had a right under the city charter to vote at an election for delegates from that city to the Assembly. There seems to have been no legal or constitutional basis whatever for this claim. The October-November 1758 session met on October 23, and on the following day the Lower House began consideration of this "controverted election" (p. 19). On November 2, by the close vote of 24 to 22 the House adopted a resolution that the aldermen of Annapolis under the city charter did not have the right to vote in the election of delegates from that city; and again on November 4 by a larger majority, 29 to 20, refused to reconsider its previous action (pp. 32, 34-35). The qualifications of a certain George Newman as a bona fide resident of Annapolis were voted upon (p. 33). The attention of the Lower House was also called to certain technical defects in the writs of election and the election returns from Charles, Cecil, and Frederick counties. In the case of the two first named counties the house passed a motion that these defects should not invalidate the election, and in the case of Frederick, the error was rectified by the appearance before the bar of the House of the sheriff of that county, who there altered certain errors in dates (pp. 24-25).

Sharpe was so incensed at this attempt to unseat Dr. Steuart that, as a rebuke, he suddenly prorogued the Assembly on November 4, before the Lower House could take final action on the Steuart-Woodward contest. This house, however, when it met again, decided on November 30 to reopen the contest and ordered both parties to the controversy to submit lists of voters who had been "controverted", or challenged, at the time of the election, and decided that evidence of bribery or corruption might be introduced even if the voter had not been challenged at that time (pp. 80, 85, 88). Woodward was ordered to appear at the bar of the House with his poll and witnesses. After frequent postponements the case finally came before the house, and a series of recorded votes seem to indicate that the right of various individuals to vote was being questioned on such grounds as bona fide residence, or the £20 property qualification, and that the right of aldermen to vote appears to have been allowed to drop, as no further reference to it occurs. The right of various individuals to have voted in the election was decided by recorded partisan votes of the house. Eight

names were thus stricken from the poll for Steuart, including that of Councillor Benjamin Tasker, and one vote added to his poll, resulting in a tie vote between Steuart and Woodward. The counsel for both sides then agreed that the election be declared void, and on December 20, Dr. Steuart was "dismissed" from his seat, and the House ordered that writs for a new election be issued (pp. 80, 84-85, 88, 103, 107-116).

At this special election Nicholas Maccubbin, a prominent Annapolitan, and the brother-in-law of Barrister Charles Carroll, entered the lists as the candidate of the popular party against Dr. George Steuart. Steuart was again returned as elected when the Assembly reconvened at its third session on April 4, 1759, and Maccubbin on April 5, filed a petition "complaining of an undue election and return", and asking that his case be heard. The Lower House granted a hearing and adopted similar rules to those which had been employed in the Steuart-Woodward contest. After reading Maccubbin's petition, April 12 was fixed as the date for a hearing at the bar of the House; both contestants were ordered to exchange lists of controverted votes that had been objected to at the time of voting; the clerk was instructed to issue summons for the witness for both sides; it was decided that undue influence upon a voter by promises or threats, even if not objected to at the time of voting, should be investigated; and it was ordered that the Mayor, recorder, and aldermen attend with the original poll. On the date fixed for the hearing, a postponement was ordered until the 19th. But as the Governor, on account of the dispute over the Supply bill, suddenly prorogued the Assembly two days before the time fixed for the hearing, the matter automatically went over until the next session (pp. 163, 164, 165, 181). Why Maccubbin abandoned the contest is not revealed, but nothing further was heard of it when the Assembly next met in March 1760.

A report was made later to the Lower House by a committee appointed by it "to tax the several Fees due to the Clerk and Sergeant" incurred by the contestants in recent "controverted elections", which gives us some idea of the costs of such contests. The detailed accounts of fees due to these officers of the House, extending from October 1757 to April 1760, show that the Clerk of the House received a fee of three shillings for the issue of each subpoena to be served on witnesses, and the sergeant-at-arms the same amount for serving them. Messengers sent with these summons to remote points in the Province were paid according to the distance travelled from Annapolis. The witnesses are named in these accounts, as are those in whose interest they were summoned. The accounts show the largest number of witnesses were summoned in the contests against Dr. George Steuart (pp. 314-317).

THE WILSON-HAMMOND AFFAIR.

The "Wilson-Hammond affair", a personal row between two members of the Lower House, with political repercussions, broke out at the *November-December 1758 session*, and resulted in the severe disciplining of Samuel Wilson, a Proprietary delegate from Somerset County, for his verbal attack on Philip Hammond of Anne Arundel. It soon developed into a partisan political squabble which illustrates the bitterness that existed between the two

factions in the Lower House. Philip Hammond, a former Speaker, was one of the most aggressive and truculent leaders of the popular party, and evidently still a power in the house as he was a member of all the important committees. Samuel Wilson was a delegate from Somerset, the southernmost Eastern Shore county, and one which sent a delegation that voted solidly with the Proprietary party. From the Lower House journal we have no means of judging the justification for the bitter verbal attack made in such a sarcastic manner by Wilson upon Hammond. That the charges went undenied, and that Wilson had the support of the leaders of the Proprietary party, indicates that there may have been some basis for them, as does the fact that Wilson was so relentlessly punished by the popular majority. No reference to the affair is to be found in the Sharpe correspondence.

On the afternoon of December 9, while the Assessment, or Supply bill, was under discussion the Speaker ordered the sergeant-at-arms "to desire the gentlemen in the porch to walk in". Wilson sent "his services to Mr. Speaker and tell him that I am tired of such nonsense". It was then related by a member that on the first reading of the Supply bill when the Speaker left the chair for a few minutes, Wilson, who had in a bantering way suggested to another member that he take the chair, then "turned towards Mr. Hammond, a member of this house and said, there's Mr. Hammond had the Chair once and forfeited it; upon which Mr. Hammond said to Mr. Wilson, Forfeited it! How? to which Mr. Wilson replied smilingly, I suppose you don't want me to explain myself" (p. 92). Four days later Wilson was asked by the house for an explanation of his words about the Speaker and the house. After he replied he was requested to withdraw and the house by a vote of 25 to 22, the members of the Proprietary party voting in the negative, decided that he was deserving of censure; whereupon he reappeared in the house and declared that he had no intention of reflecting upon the Speaker or the house. His submission was accepted, and he was admonished in the future to be more circumspect in his expressions about the orders of the chair and the proceedings of the house.

Wilson's remarks about his fellow-member Philip Hammond "here's Mr. Hammond had the chair once and forfeited it", then came up for consideration. It will be recalled that Hammond had been Speaker of the lower House from 1749 to 1754. Upon the question that Wilson be allowed to "justify his words" "by relating a private Transaction between the said Hammond and another Person, in Relation to their private Affairs", the house voted 30 to 15 against it; and another motion that the house would allow any of its members to state the case and "make good the Truth thereof" was voted down 34 to 11. When the motion was put that Wilson ask pardon of the house and Hammond, the house divided 23 to 23, and the Speaker decided the question by his affirmative vote (p. 98). This close vote indicates that several members of the popular party must have felt that Wilson's personal attack upon Hammond was not without some justification. Again called before the house, Wilson expressed his readiness to apologize to it, but declared "as to asking the Pardon of Mr. Hammond, I look upon him to be a Person of so very infamous a Character, and charged with so many vices, that I cannot suffer my Lips to belie my Heart,

and therefore hope the House will excuse me from asking his Pardon". Again called before the house to apologize, he desired time to reflect upon the matter, and on his reappearance repeated his statement about Hammond. He was thereupon committed to the custody of the Sergeant-at-arms until he should comply with the order to apologize, which he continued to refuse to do (pp. 95-100). On December 18 a motion to remit that part of the censure relating to Hammond was defeated in the house by a vote of 30 to 12 (p. 108). He doubtless remained in the custody of the Sergeant-at-arms until the Assembly was prorogued on December 23, as the house ceased to have jurisdiction over a member when it was not actually in session.

Wilson was obviously not in the custody of the sergeant-at-arms when at the next session he was asked on April 6, 1759, to withdraw from the house, and the members by a vote of 21 to 12 resolved that unless he complied with its former order, that this order be renewed. He was then recalled and, as no apology was offered, he was informed by the Speaker that he was to remain in custody until he apologized to both the house and Mr. Hammond, and the sergeant-at-arms was warned to take notice of this order. On April 16, following the rejection of a motion, by a vote of 19 to 16, that this house will admit Wilson to make his submission, the house resolved by a vote of 20 to 15, the Proprietary members voting in the negative, "That it is beneath the Dignity of this House to call upon any Member, committed for a Breach of an Order of the House, to comply with the Order, till he had previously signified his Inclination to the House to comply with and obey the same; and that Mr. Samuel Wilson had not [so] signified". The house then by a vote of 20 to 15 refused to adopt a motion apparently offered by Wilson's friends: "That as this House will not admit of the Submission of Mr. Samuel Wilson, that he be Expelled this House, that the County may have the Benefit of being Represented by a due Number of Members" (pp. 164-165, 186-187). All of which seems to imply that Wilson was further punished by remaining in custody until the close of the session.

When the Assembly next met in March 1760, Wilson was an absentee, nor did he appear at any time during that session. In the interval between this meeting and the *September 1760 session*, fate was kind to him and an event occurred which entirely changed the picture, for on May 3, Philip Hammond died. A few days after the Assembly again met on September 26, Wilson appeared in the Lower House, and thereafter took part in its proceedings as a member in good standing. No further mention of the recent unpleasant episode is recorded in the journal of the house. There was no Mr. Philip Hammond to apologize to, and his former expressed willingness to ask pardon of the house was apparently considered sufficient.

THE DARNALL DEFALCATION.

The joint committee of the two houses appointed to examine the accounts of the Loan Office made a report on April 24, 1761. This called attention to the confused condition of the accounts of that office, due to the long illness and death of its clerk Richard Dorsey. It also criticized the London trustees

for their delay in investing certain funds in their hands in the stock of the Bank of England, as required by the Act of 1733. But of more serious import was the discovery that, in addition to small sums due the Province by several naval officers charged with the collection of the fifteen pence export duty per hogshead of tobacco imposed under the Paper Currency Act of 1733, the Naval Officer of the Patuxent district, Henry Darnall, owed large sums for the years 1757, 1758, 1759, and 1760, which he had failed to deposit with the trustees in London of the Loan Office, to be invested by them in Bank of England stock, as required under the Paper Currency Act of 1733 (pp. 412-419). The attention of the Governor was called to this on April 28 in an address to him from the Upper House, so that he might take immediate steps to protect the public interest (p. 420). The Governor on the same day notified Attorney-General Stephen Bordley by letter, that he was satisfied from the report of the joint committee of the two houses and from a petition he had received from John Darnall, a brother of the delinquent Naval Officer, and from Charles Carroll, the sureties for Henry Darnall, that the latter had failed to remit to the trustees in London a sum of money amounting to about £1,600, and suggested that the Attorney-General should, if it were legally possible, accept from these bondsmen the amount of their penalty without putting them to the expense of suit (Appendix pp. 519-520). Bordley replied to the Governor saying that he had accepted bills of exchange for £1,000 from these sureties (Appendix p. 520).

On April 30, 1761, the Governor, in a message to the Upper House, informed it of the payment of the £1,000 by the sureties, and asked the house to advise him as to what further steps should be taken to secure the balance due (p. 426). The Upper House on May 1 advised him that the bills of exchange for the amount of the penalty might properly be delivered to the Loan Office and by them remitted to London; that the sureties were not further liable; that a suit in equity against Darnall for the balance should be filed in the name of the Lord Proprietary together with a writ of *ne exeat provinciam*; and an injunction be secured to stop the payment to Darnall of any money that might be due him by others (pp. 426-427). Bordley, the Attorney-General, replied to the Governor that he would at once take the measures recommended by the Upper House (Appendix p. 521). The Governor then wrote to the commissioners of the Loan Office notifying them that he was instructing the Attorney-General to deliver the bills of exchange to them, and directing them to remit these to the London trustees of the sinking funds; and in a second letter to the Attorney-General ordered him to deliver the bills of exchange to the Loan Office to be by it transmitted to London (Appendix pp. 520-521). John Darnall who was on the bond was a brother of the defaulting Naval Officer, and the other surety was Charles Carroll of Annapolis, a first cousin of the defaulter. This Charles Carroll was a prominent Roman Catholic and the father of Charles Carroll of Carrollton; he was a distant relative of Charles Carroll, the Barrister, a member of the Church of England who figures so prominently in the Assembly proceedings of this time as a leader of the popular party in the Lower House.

The Lower House, alert to attack anyone holding a prominent office by favor of the Lord Proprietary, and especially so when such an officer was suspected of being a Roman Catholic, issued an order on April 27 to its sergeant-at-arms to serve a summons on Henry Darnall to appear before that house on April 30 to give satisfaction as to his neglect of duty as Naval Officer (p. 465). This officer reported on the 27th that on the previous day "Mr. Darnall not being at home he left a copy of the Summons" (p. 470). In an address to the Governor, dated May 2 and enclosing an extract from the report of the joint committee, the house requested that the Governor take "the most effectual steps" to recover the money and immediately remove from office Darnall who, it said, had embezzled large sums of public money. It also reminded the Governor of the ineffectual remonstrances it had made against this gentleman a few years before (July 2, 1755), when he was Attorney-General of the Province (*Arch. Md.* LII, xvii-xviii, 159-160), and declared that "we shall only just intimate that the Objections that were then made to him receive some Support from his corrupt Practices in the Office he fills at present", and warned the Governor hereafter to be more careful of the character of his appointees (pp. 484-486). The Lower House estimated the amount embezzled to be £1,972—4—0, a sum larger by nearly £400 than the amount estimated by the Governor a few days before (p. 520). The amount stolen was later estimated at an even larger figure. A motion to request the Governor to remove Benjamin Young as Naval Officer of Pocomoke, who was slightly in arrears in his remittances to the trustees in London, was defeated by a vote of 29 to 7 (p. 478). It appears that Walter Dulany, a brother-in-law of Young, and a member of the joint committee which had unearthed the delinquencies of the naval officers, had promptly made good the amount due by Young (*Arch. Md.* IX, 515).

In a hot reply to the Lower House, the Governor declared that their objection to Darnall "when he was carpt at some years ago" was his supposed attachment to the principles of the Church of Rome, although he had complied with every test as to his conformity to the established church, and the house had not intimated that he wanted the other requisites necessary to fill that office which he had held before Sharpe had come into Maryland; and added that, if the Lower House had reason to suspect Darnall's honesty, it had neglected its duties by not calling this to his attention and by making a careful examination of his accounts as Naval Officer and of the accounts of the trustees in London. He said that he hardly dared to intimate that by neglecting this duty they had "connived" at an embezzlement of over £2,000 in order "that you may have an opportunity of saying [so] at this time". He also protested against the injustice of the intimation that he had ever been influenced in his appointments by other motives than for the good of the community (pp. 490-492). The Governor also requested the Lower House to enter in its journal the address of the Upper House to him on the Darnall defalcation, the entire report of the joint committee, of which it had sent him only an extract, his letter to the Attorney-general and the latter's reply, his message of April 30 to the Upper House and their answer thereto, his second letter to the Attorney-General and

the latter's answer thereto, and his letter to the Commissioners of the Loan Office. As the Lower House did not enter all of these letters and papers in their proceedings, the Governor and Council on July 10, 1761, ordered Jonas Green, the Provincial printer, to print in pamphlet form these various papers in full and to distribute them with the journal of the proceedings of the Lower House. This was done in an eight-page pamphlet under the title: *Province of Maryland. | By his Excellency | the Governor | and | Council | 10th July 1761. | Annapolis: Printed by Jonas Green, Printer to the Province, 1761.* The correspondence with Bordley and with the Commissioners of the Loan Office, which the Lower House did not print in its journal, appear in the published pamphlet, and are reproduced in the Appendix to this volume (pp. 519-522). All the papers in the Darnall matter also appear in the proceedings of the Council (*Arch. Md.* XXXII, 4-15). At this session the Upper House passed a bill to strengthen the Paper Currency Act of 1733 so as to require Naval Officers to furnish sufficient bonds to protect the public from losses such as had been suffered in the Darnall embezzlement, but no action was taken upon it in the Lower House (p. 423).

No further reference to the Darnall defalcation appears in the proceedings of the 1761 Assembly, nor is it clear whether the Province ever recovered the more than £1,000 which was still due to it. Sharpe, writing to Secretary Cecilius Calvert, May 5, 1761, said that Darnall "has retired to the House of a near Relation in St. Mary's County & I suppose will never venture to appear abroad again in this Province", because if arrested no one would go on his bail, and if once imprisoned he would never be released by an act of the Assembly (*Arch. Md.* IX, 519). He is said to have been living, when an old man of eighty-five, in the lodge-house of a convent in France.

The Lower House at this session appointed a special committee to make inquiry as to the sufficiency of the bonds of the several naval officers of the Province. It reported on April 28, 1761, that it was unable to find any bonds in the Secretary's office where office bonds are usually lodged, but on further inquiry learned that, under the Act of 1751 relating to the bonds of Naval Officers, these were to be deposited with the Clerk of the Council; and that upon applying to the Clerk, the committee was informed that as the bonds were made payable to the Governor, they could not be inspected without orders from him, and that since then the clerk of the Council has told the committee that they might only be inspected upon application from the house itself (pp. 468-469). Nothing further was done about the matter at this session.

ROMAN CATHOLICS.

Although the flames of religious intolerance did not break out as violently, or as frequently at these six sessions as they had in the recent past, the temperature of the smouldering fires was still high, as is shown by the proceedings of both houses. The determination of the Lower House to penalize Roman Catholics was brought out by its insistence at the November-December 1758 session, by a vote of 31 to 7, to impose upon them in the Supply or Assessment bills, a double tax on their lands (p. 102), and by its insistence at

the *March–April 1760 session* that relief from the hardships imposed upon alien landowners under existing laws be not extended in the proposed new Naturalization bill to Roman Catholic aliens (pp. 248-250, 254-256, 312-313, 220). It may be added that the Upper House, although composed only of Protestants, opposed all such oppressive measures. Charles Pratt, the King's Attorney-General, in an opinion given in 1759 to the Proprietary, Frederick, Lord Baltimore, as to the constitutionality of various provisions included by the Lower House in its recent Supply bills, declared that the double tax on Roman Catholics was "a Breach of Public Faith and tends to Subvert the very Foundations of the Maryland constitution", and would only be excused were they guilty of "Dangerous Practices and Disaffections" (p. 203).

The embezzlement of public funds by Henry Darnall, Naval Officer of the Patuxent District, who had made away with over £2,000 tobacco export duties collected by him, was the excuse for an anti-Catholic outbreak in the Lower House. A member of a very prominent Catholic family of southern Maryland, Darnall, before becoming Attorney-General of Maryland, had a few years earlier disclaimed affiliation with the Catholic church, and taken all the oaths to the Church of England that were required to enable him to hold public office. The Lower House suspecting his good faith, and as it turned out later with good reason, had in 1756 demanded his removal from office by Sharpe. This the latter refused to do on the grounds that there was no evidence that he had not conformed in good faith to the established church (*Arch. Md.* LII, xvi-xvii, xxiv). When the Darnall defalcation of over £2,000 export duties collected by him was revealed at the *April–May 1761 session* of the Assembly, the Lower House sought to hold Sharpe responsible because he had not removed Darnall from the office of Attorney-General at its bidding five years before. The indignant Governor promptly retorted that the Lower House had demanded his removal only on the grounds of suspected Catholicism, and not on grounds of inefficiency or dishonesty, and added that if they suspected his honesty they were remiss in not so saying at the time, and had thus conspired at the embezzlement of a large sum in order that they might have the opportunity of later throwing the responsibility on him for any questionable acts which had been, or might be, committed by Darnall subsequently (pp. 484-486, 490-492).

PROVINCIAL AGENT IN GREAT BRITAIN.

The appointment of a provincial agent to represent the people of Maryland in Great Britain, and more especially before the home government, which has been discussed in the introduction to a former volume of the Archives (*Arch. Md.* LV, 1), came up again at the *April, 1759*, the *March–April 1760*, and the *April–May 1761*, sessions. Lord Baltimore violently opposed the appointment of an agent, on the ground that the popular party would use him to misrepresent and discredit the Proprietary government at home. Bills "to raise a Fund to be applied to the payment of an Agent for the service of the Province" were introduced in the Lower House and passed at both the 1759 and 1760 sessions, in each case to be immediately rejected in the Upper House. It was

a popular measure with people of all classes, however, and when the bill came up at the 1760 session, it passed the Lower House by a vote of 34 to 1, nearly every member of the Proprietary party now voting in favor of it, its lone opponent being the die-hard Proprietary member, Dr. George Steuart of Annapolis (pp. 183, 184, 191, 157, 192, 241-242, 214). As is discussed elsewhere in this introduction, when the two houses attempted at the 1761 session to frame a joint letter of condolence to the new king George III upon the death of his predecessor George II, they could come to no agreement because the Lower House insisted upon the insertion of a paragraph begging the King that they "be permitted to raise a Support for an Agent, who may lay all their Grievances, which they suffer under the Government of the Lord Proprietary, properly before Your Majesty" (pp. 456-458). After the Upper House refused to agree to the insertion in the address to the King of any references to a provincial agent in Great Britain, the Lower House adopted a separate address including this request, but there is reason to believe that it was never presented to George III as is explained in another section (p. lxii). A bill for the support of an agent in Great Britain was also introduced in the Lower House at the 1761 session, but does not seem to have been pressed for passage, probably because it was hoped to effect this end by the inclusion in its address of condolence the request that the King might aid them in their efforts to maintain a provincial agent in London through whom their grievances might be laid before the Crown (pp. lxi, 473). An attempt also seems to have been made to insert in the 1761 Supply bill, an appropriation of £300 or £400 for the salary of an agent (*Arch. Md.* IX, 519).

MESSAGE OF CONDOLENCE TO THE KING.

The Governor on April 15, 1761, sent messages to each House asking them to join with him in an address of condolence to the King expressing their great loss in the death of the late sovereign and congratulations to the new King upon his accession to the throne (p. 443). The Upper House in its reply to the Governor, after extending its condolences to him and expressing its pleasure upon the accession of the new King, injected in it a dig at the lower chamber which was to stir the latter's ire, by declaring that we "shall most cheerfully give our Concurrence to any equitable bill" that would "promote the Service of our Sovereign" (pp. 406-407, 404).

An innocuous address of condolence and congratulation, apparently prepared by Dulany and Bordley of the Upper House, was presented for adoption to a joint committee of the two houses (p. 411), and was referred to the Lower House itself by its representatives on the committee. On April 22 this house voted 24 to 7, the Proprietary party voting solidly in the negative, to add a paragraph to the address declaring that the people of Maryland "destitute as we are of the proper Means of obtaining Access to the Throne", pray that they be permitted to appropriate money to maintain an agent in London to lay their grievances against the Proprietary before the King. The Lower House expressed its confidence that a full inquiry would disclose the true cause why this Province has "in so small a Degree exerted it's Force for the Service of

our late most gracious Sovereign" in prosecuting the war (pp. 456-458). To this "Addition for Reasons too Obvious to be mentioned" the Upper House refused to agree (pp. 411-412).

The committee of the Lower House on April 28 reported to that body the details of its meeting with representatives of the Upper House on the 23rd, and said that when this additional paragraph, approved by a vote of the Lower House, was submitted to the representatives of the upper chamber, the latter, "after Reading over the same, immediately left the Members of your House without saying a Word: which Behaviour" was felt to be a dissolution of the committee; and the Lower House then ordered the preparation of a separate address (pp. 466-468). Members of the Upper House on the joint committee made a report on April 28 to their house in which that body concurred, saying that the address desired by the Lower House not only expressed its condolences to the King, but added matters foreign to the subject, such as references to the Assessment bill and the bill for the support of a provincial agent in Great Britain. The Upper House then declared that the agitation for a provincial agent was not only entirely foreign to such an address to the King, but was merely a means of casting "an injurious Blemish upon his Lordship's Government": that the resolves adopted by the Lower House and the Assessment bill were also only devised "to weaken the hands of this Government" through a "controul of executive Power" which would prevent the Governor calling out the militia when needed: that the Assessment bill contained various provisions felt by the King's Attorney-General to be contrary to established Proprietary rights: that the expenditure of the taxes raised under it was to be entirely in the hands of those appointed from the Lower House and only removable by it: that men "possessed with such truculent Privilege" would soon make the other branches of the Government mere "conduit pipes" for such laws as they might care to pass (pp. 421-422).

The Lower House address of condolence, altered in minor respects but with the contentious last paragraph unchanged, appeared with the title: "To the King's most Excellent Majesty—The Humbie Address of the House of Delegates of the Province of Maryland", and will be found printed on pages 474 and 475. The address of the Upper House to the King is attested by the Governor and by Benjamin Tasker Sr. as President of that house (pp. 424-425). The Lower House in a later address to the Governor requested him to give orders that the Great Seal of the Province be affixed to its address to the King (p. 480). Sharpe in a sarcastic message to the Lower House in reply declared that "it is not usual with me to order the Great Seal to be affixed to any Papers which I Have not seen", and "I cannot learn that they ever desired to have the Great Seal affixed" to any previous address of that house to the King, "nor indeed can I conceive . . . that the Seal can be of any Consequence", unless it "may be construed by some as a kind of Assent to it's Contents . . . since I cannot suppose you will desire any Person to present your Address, whose Character is not very well established, to leave any Room for His Majesty, or his Ministers, to suspect, that he would presume to offer any Address but an authentic One" (p. 487).

In a letter to Secretary Cecilius Calvert, Dated May 10, 1761, Sharpe writes that after adjournment of this session, speaker Hooper refused to sign the address of condolence, and that an effort was being made, apparently without result, to have it signed by those delegates who had voted for it (*Arch. Md. IX*, 518). As this Assembly was soon afterward dissolved and did not meet again, it is unlikely that the address reached the King.

THE THREATENED ADDITIONAL LAND TAX.

Under the terms of the £40,000 Supply act for his Majesty's Service, passed in 1756, a sinking fund was provided to be taken care of by taxes on land, stamps on legal papers, taxes on liquors, bachelors, and billiard tables, and import duties on horses, pitch, tar, turpentine, and negroes. It was further provided that, if the receipts from these various taxes did not reach £40,000 in five years, any deficiency in the sinking fund was to be met by an additional land tax to be imposed in the year 1760. A committee appointed by the Lower House to determine how much monies had been paid into the sinking fund under this act, and also under the £6,000 Supply act of 1754, reported that there had been credited £13,163—6— $5\frac{1}{2}$ to the former sinking fund and £1,469—13—1 to the latter (pp. 245-247). Under the terms of the Supply Act of 1756 it was provided that if these special taxes imposed under it were not sufficient to sink the £40,000 issue of paper currency in five years, landowners were to be burdened with a heavy additional land tax to make up the deficit, amounting in 1760 to over £26,000.

A bill was introduced in the Lower House at the *March-April 1760 session* and promptly passed, which sought to reduce still further the £26,000 deficit by continuing the imposition for another three years of various taxes and import duties imposed under the act of 1756, before the additional land tax should be applied, thus delaying the payment of, and still further reducing the amount of, the additional land tax when it was later imposed. The Upper House rejected the bill on the ground that it was detrimental to the public credit, and recommended that the Lower House provide for meeting the £26,000 deficit by adopting some other method of taxation with which the Province had already had experience, by which the landholders would be relieved in this way of the tax which they otherwise would soon have to meet (pp. 257, 263, 214-215, 262-263). The Lower House thereupon passed another bill for the relief of the threatened landowners under the title "An Act for the Ease of the Landholders of this Province" (p. 309). The journal of this house does not reveal the exact character of the bill or in what way it differed from its rejected predecessor. In the Upper House this new bill was amended by reductions in certain figures, the purport of which is not entirely clear (pp. 220, 221), and by changes in the names of some of the commissioners appointed to administer it. But as these changes did not meet with the approval of the Lower House, by a vote of 18 to 11 it refused to concur in the amendments, and the bill was allowed to die (p. 318). One of the differences between the two houses seems to have been that the Lower House insisted that the land tax be payable either in tobacco or specie, and if in the

latter, at a different rate of exchange than that specified by existing Provincial laws for the payment of other public charges and taxes in specie (p. 355).

A bill under the title "An act for Easing the Inhabitants of this Province from the great and unequal Burthen of the additional Land-Tax" was introduced in the Lower House at the *September–October 1760 session*. The amount of the deficiency which would have to be taken care of under the Act of 1756 was now estimated to be £13,648—4—7, which, it was reported, could be met by an additional land tax of seven shillings, seven pence, for every hundred acres, together with a double land tax imposed on papists of eighteen years and over (pp. 336–339). A bill based on these estimates was brought in and passed by the Lower House on September 29 and sent to the Upper House (p. 357). Here it was amended to read that the representatives of the Upper House, who were to serve as commissioners under the act, were to be nominated in the bill by the Upper House, and that the operations of the law under which it was proposed to meet the deficit by sundry taxes and duties (and not by the land tax) be limited to one, instead of three years, as was provided in the Lower House bill. The Upper House also refused to consent to a provision of the bill that the payments of taxes in gold or silver might be made at a different ratio than that determined by law for the payment in paper money of officers' fees and the public debt, as tending, said the Upper House, to depreciate the value of the paper currency of the Province (p. 375). The bill was returned to the Lower House as amended, where by a vote of 17 to 15 that house agreed to the nomination by each house of its own commissioners, the irreconcilables of the popular party, however, voting in the negative. As to the duration of the period for the continuance of the act, a motion to compromise these differences by extending the operations of the law for two years, resulted in a tie vote of 16 to 16, the Speaker casting the deciding vote for this compromise (p. 361). On October 4 the Lower House sent a message to the upper chamber agreeing to the method of naming the commissioners and limiting their number, and agreeing to the compromise of a two year extension period. It refused, however, in this message to assent to the amendment of the Upper House applying the present legal ratio of the value of gold and silver to the paper currency to the payment of the additional land tax. But the Upper House in a second message stood firm in its opposition to depreciating the paper currency (pp. 374–375), and the lower chamber, very anxious for the passage of a law to prevent the imposition of an additional land tax on their own lands, finally yielded on the currency ratio, the bill passed both houses, and received the assent of the Governor (pp. 386–390).

THE NATURALIZATION BILL AND ALIEN LANDHOLDERS.

An effort was made at the *November–December 1758 session* to do away with certain injustices under which unnaturalized alien landholders in Maryland suffered, especially the Germans of western Maryland. Under existing law only naturalized inhabitants might hold, sell, or inherit land. The Proprietary government was more than lukewarm to the proposal to validate by a blanket act all such titles, because land held under defective title reverted by escheat

to the Proprietary and could be disposed of again by him. When a bill to naturalize aliens and thus validate such defective titles was passed by the Lower House and sent to the Upper House, the Governor is known to have opposed its passage until he had had an opportunity to consult the Lord Proprietary. But when it reached the Upper House, Daniel Dulany espoused it and had inserted in the journal of that house the reasons for his "dissent" to its rejection by his colleagues on the broad grounds of good faith and public policy—an action requiring no little courage from one who owed his position in the Council and Upper House to the Proprietary.

The bill entitled "An Act for the Security of Purchasers and Others Claiming by or from Protestant Aliens", popularly known as the Naturalization Bill had been passed by the Lower House on December 6, 1758 (p. 90), and rejected on December 20 in the upper chamber (p. 59). Although no copy of this bill has been preserved, from the tenor of the proposed amendments to it and Dulany's reasons for his "dissent" at its rejection, and from a perusal of the Naturalization bill introduced at the *March-April 1760 session*, its general provisions may be assumed. Dulany also sought unsuccessfully to have the bill amended so as to extend its operation to the titles of land held by, or purchased from, Roman Catholic (excluded in the Lower House bill from its benefits), as well as to the lands of Protestant aliens, but the Upper House would have none of it, amended or unamended (p. 115). Dulany's "dissent" was based upon nine points which are given in full in the journal of the Upper House, and extends over nearly three printed pages of this volume (pp. 56-59). As Dulany was the most able lawyer and the outstanding public man intellectually in Maryland at this time, these dissents reveal his calibre, and show that although popularly classed as one of the bulwarks of the Lord Proprietary there were limits to which he would not go in support of Proprietary pretensions. That he was beginning to lose favor in the eyes of Governor Sharpe is indicated by references to his conduct in letters from the Governor to Cecilius Calvert written at this time (*Arch. Md.* IX, pp. 423-424).

Dulany's arguments for the passage of a naturalization bill to protect the rights of aliens are of sufficient interest to summarize here. He declared: (1) that aliens had been induced, on the faith of the Proprietary government by proclamations in the German language, which had been spread over Germany, to settle in the Maryland wilderness, and by their industry to turn this part of the Province into well-stocked plantations, and that they had been promised that they would be protected in the enjoyment of their property, and that their failure to become naturalized was generally due to their ignorance of the existing laws; (2) that the rejection of the bill on the ground that under it escheats to the Lord Proprietary of lands having defective titles would decrease in number, and that therefore the Proprietary might dislike it from consideration of his revenue, was derogatory to his Lordship's honor; (3) that the destruction of the moral rights of useful and industrious aliens, for the delusive prospect of a possible temporary increase in his Lordship's revenue through escheats, would not only be a disgrace to his government, but by the banishment of industrious settlers would eventually result in a real diminution in his

revenues; (4) that a bill of this kind is necessary to quiet the minds of landholding aliens and to assure the safety of their titles to those who in good faith have paid their caution money, the costs for their land warrant, the surveyor's fee for their warrant, the examiner's fee for their certificate, the land office for their patent, the chancellor for his seal, and the quit rents to the Proprietary; and then after all these payments, through ignorance of the law, they may at any time be intimidated by the issuance of an escheat warrant, which without this legislation, may result in the loss of their lands; (5) that, if the principle upon which this bill is based be rejected, it may well become the rule of this house in comparable cases to refuse to pass "any Bill securitative of the rights of the People" as against the Lord Proprietary, a course that would be pregnant of irreconcilable enmity between him and his tenants, and result in jealousies, suspicions, dissensions, and animosities that would prove detrimental to his Lordship's revenue and discourage further settlement, depopulate the country, and cast an odious blemish upon the character of his government; (6) that similar bills had been passed in New York, Pennsylvania, and Virginia, and the lack of such laws here will place this Province at a disadvantage and deprive it of the advantages enjoyed by settlers in those colonies, for under the act of Parliament for naturalizing foreign Protestants (under which Maryland then operated) the long term of residence required in the plantations before naturalization, prevents them from promptly acquiring land legally in this Province and earning their living upon it, for with the exception of a few who may become merchants, the only way they can gain a livelihood here is on the land; (7) that the failure to pass the bill may result in greedy men seeking by escheat warrants to dispossess aliens of their lands before they have lived here the time required for naturalization under the act of Parliament, and subject them to a multiplicity of law suits; (8) that unless this bill is passed any attempt to bring alien settlers here will only be regarded as an engine or snare to catch and ruin the unwary; (9) that the suggestion that there may be clauses in the bill artfully inserted which may tend to invalidate his Lordship's general rights in the matter of escheat is chimerical, for if there are such they should now be pointed out and corrected, and the fear of them not given as a reason for its rejection. Dulany concluded by saying that the bill is concise and plain, and the subject matter so simple that the dread of any design on the part of its framers in the Lower House is rather the effect of excessive diffidence than prudent caution (pp. 56-59).

As illustrating the dilemma in which the heirs of an alien landholder did sometimes find themselves under existing conditions, and the injustice to which they were subjected, there is printed in the Appendix (pp. 517-519), the petition, dated April 20, 1757, of Daniel Chamier, the executor of the estate of Valentius Duchart, of Baltimore County, addressed to the Governor and Assembly of Maryland. It would appear from this petition that Duchart, a native of France and a Protestant, had purchased a tract of land in Baltimore County and leased an inn from Dr. William Lyon of Baltimore Town, and that Duchart had been killed when his barn was destroyed in a "hard Gale of Wind", before naturalization, for which he had applied, had been granted. The

petition says that Lyon connived at the delay Duchart experienced in securing naturalization, and, knowing that the latter was an alien, had secretly obtained an escheat warrant for the land and secured a patent on it. The petition closes with the request that the Governor and Assembly "will in tender Compassion to this distressed Widow and Seven Children" permit the petitioner to reimburse William Lyon for what he had paid for the escheat, and order that the land be offered at public sale to the best bidder, and the money thus obtained be deposited with the Commissary General for the benefit of the widow and orphans of Duchart (Appendix, pp. 517-519). The proceedings of the *April-May 1757 session* show that the Upper House rejected Chamier's petition (*Arch. Md.* LV, 10). The Duchart case was doubtless one of those that Dulany had in mind when he urged the passage of a naturalization law.

A Naturalization bill was introduced in the Upper House at the *March-April 1760 session* and passed April 1 (p. 209). The act now passed by the Upper House, after reciting the injustices of the present laws to unnaturalized aliens who had acquired land by patent or purchase, as well as to purchasers from aliens, quieted all past titles and provided that in the future all aliens who shall take the prescribed oaths of abjuration and subscribe to the declaration of fidelity under the Act of I George the First establishing the succession of the Crown in the Protestant and Hanoverian line, shall be the King's subjects of this Province, and entitled to hold and dispose of land, although not entitled to sit in the Assembly or occupy any civil office (pp. 309-312). The bill was sent to the Lower House on April 4, where, by a vote of 25 to 7, the provisions of the bill to validate the titles of aliens were restricted to Protestant foreigners and not extended to include even the naturalization of Roman Catholic aliens already settled in the Province. The test of conformity was the taking of the Sacrament in some Protestant congregation, the usual oaths (Quakers excepted), and subscribing to the declaration (pp. 248-250, 254-256, 312-313). While assenting to certain of the amendments made in the Lower House, the Upper House refused to agree to the provision excluding Roman Catholics already in the Province, although it was willing to deny naturalization to "Romish or Jesuitical Priests". Upon the refusal of the Lower House to tone down its amendments the bill was allowed to die (pp. 220, 212-213). By order of the Lower House the bill with its amendments was ordered entered in its journal, and was also ordered to be printed in pamphlet form with two other rejected bills (pp. 257-258, 309-312). This rare pamphlet is fully described in a note on page 257.

ESTABLISHMENT OF A COLLEGE.

The long-discussed question of the establishment of a college in Maryland, which had last been brought by Governor Sharpe before the Assembly at the May 1754 session, was again agitated at the *April-May 1761 session*. On April 24, 1761, a committee headed by Edward Tilghman was appointed by the Lower House to consider and report "what funds may be necessary to be raised for Erecting and Establishing a College within the Province" (p. 461). This committee reported on May 5 "that the House in the City of Annapolis,

which was intended for a Dwelling-House for the Governor of this Province for the Time being, be completely finished, and made Use of as the College proposed . . . the Expenses of which, together with the Charges which will attend Building the Out-Houses, Gardens and Yards, and purchasing necessary Furniture" were estimated at £2,258. The cost of completing the main house was placed at £2,000; the furnishings at £216; the stable at £100; and the garden and yard at £100. To raise the funds necessary it was recommended that the "Free-Schools in the several Counties within this Province be sold; the said Schools being in their Judgment but of small Advantage in the Education of Youth". The annual expenses for masters and servants were given as: salary a year for president £300; first master, £250; second, third, fourth masters, and mathematical master, each £200; English and writing master £100; five servants and a boy £60; the total annually amounting to £1,510.

For defraying these expenses, the committee recommended taxes on ordinary licenses, wheel carriages, negroes, Irish Papists servants, and bachelors, which, together with the Honourable Benedict Calvert's donation of £40 to King William School in Annapolis to be applied to the college, totaled £1,510. An estimated "profit" of £400 yearly from the scholars to be educated was to be used for the support of twenty-eight charity boys, two from each county (pp. 488-490). The house then proceeded to vote on the several recommendations in the report. By a vote of 17 to 15 it approved the sale of the free schools in the counties; by a vote of 23 to 9 that wheel carriages be taxed; and by a vote of 18 to 13 that bachelors be taxed. It then refused on a second reading to concur in the report by a vote of 17 to 15 (pp. 492-493). Sectional, rather than political, lines seem to have influenced this vote, as most of the Eastern Shore members voted against it. This rejection of the report was, however, followed the next day by a "proposal" by Charles Carroll, the Barrister, as follows: that the Lord Proprietary grant the four acres on which the Governor's uncompleted house stands; that the money needed for repairs, outhouses and gardens be raised by subscription and lottery; that visitors or managers, one from each county together with those of King William School, have charge of the College; that the twenty-eight charity scholars be recommended by the county courts. The "proposal" further recommended that taxes for support of the college be on ordinary licenses, wheel carriages, wines not from Great Britain, billiard tables, and bachelors. This "proposal" was adopted by a vote of 20 to 12, but the Assembly adjourned before further action on the question could be taken (pp. 496-497). It was to come up again at subsequent sessions, but nothing definite had been done about it up to the time the Revolution broke out. In including licenses from ordinaries, which the Proprietary claimed under his prerogative, the Lower House well knew that the proposed bill would not receive the approval of the Upper House (*Arch. Md.* IX, 523-525, 545).

It is interesting to note, however, that one of those who voted to include the licenses on ordinaries was Dr. George Steuart, the usually uncompromising Proprietary delegate from Annapolis. To justify this apparently disloyal vote, Sharpe, writing to Secretary Cecilius Calvert, June 22, 1761, says that

Steuart "found himself under a necessity of acting [this] part, he having Voted for the Appropriation of Ordinary Lycences toward the Support of a College in Annapolis lest the Inhabitants his Constituents had he voted otherwise should have deemed him an Enemy to the City and have rejected him at the next Election" (*Arch. Md.* IX, 523). "The House in the City of Annapolis, which was intended for a Dwelling-House for the Governor of this Province," which it was proposed to use as a college building, was the house which Governor Thomas Bladen had begun the construction of in 1744 as the official residence of the governors of Maryland, and was located on what is now St. John's College campus. When nearly finished, although the roof was not yet entirely in place, a controversy arose about the completion of the building, and it was still unfinished and in a decaying condition when this proposal was made in 1761 to use it for a college. It was popularly known as "Bladen's Folly" and, it may be added, remained unfinished until in 1784 when it was completed for the use of St. John's College in that year.

JOURNAL OF ACCOUNTS.

The Journal of Accounts, which carried the appropriations for all the ordinary current expenses of the Provincial government, came up as usual for consideration by the Assembly. The creditors of the government were becoming more and more importunate as the public charges had continued to pile up since 1756. As explained in the introduction to the previous volume of the *Archives*, an impasse between the two houses on the adoption of a Journal of Accounts had existed since the February–May 1756 session, and no Journal since then had been approved by both houses (*Arch. Md.* LV, liv-lv). This was because the Upper House had insisted upon the inclusion of such items as the payment of a fixed salary to the Clerk of the Governor's Council (who was also the clerk of the Upper House), which the Lower House declared should be paid by the Proprietary himself. Nor was the impasse between the two houses destined to be broken until the year 1766. As soon as the Lower House first organized, it appointed on October 29, 1758, a Committee on Accounts, consisting of six members, of which John Goldsborough was chairman. This committee selected Beale Nicholson as its clerk, but no mention of a Journal of Accounts was made at this session (pp. 18, 19). At the November–December 1758 session, the Lower House ordered the Committee on Accounts to receive no claims against the public "after Friday sev'nnight next, being the 15th instant", and it was further ordered to "close the Journal of Accounts on Monday sev'nnight next being the 18th Instant" (p. 91). Nothing further, however, was heard of the Journal at this session, or at the 1759 session.

On April 1, 1760, the Lower House ordered the Committee on Accounts to close the Journal on the following day (p. 243) but on April 3 the committee was ordered to make an allowance in the Journal to various "sufferers" whose tobacco had been lost in a fire at Llewellyn's Warehouse, St. Mary's County (pp. 211, 247-248). On April 8, the Lower House approved the Journal of Accounts and sent it to the Upper House (pp. 252, 256), where two days later it was dissented to and returned to the Lower House (p. 224). The

reasons for this dissent are not stated in the proceedings, but the failure of the Lower House to include the salary of the Clerk of the Council and Upper House and back pay to the militia ordered out in the last two years were certainly items of contention.

The adoption of the Journal of Accounts came up again at the *April–May 1761 session*. On April 20 it was ordered that it be closed two days later (p. 452). On April 29 it was given by the Committee on Accounts to the Speaker (p. 469), approved by the house a few days later, and sent to the Upper House (p. 487). There Samuel Chamberlaine and Benedict Calvert were appointed to inspect and report upon it (pp. 430, 431). After selecting John Davidson as their clerk, this committee reported on May 6 that it had found many omissions in the Journal: that there was no allowance for Mr. Ross as clerk of the Governor's Council, or for the judges of the Court of Appeals from 1760 to the present time; no allowances for paying the militia ordered out by the Governor since the fall of 1757; no allowance of £21—3—0 for the repairs made to the Council House; and doubtless "many Others omitted of which we have no Information". The committee had requested Mr. Beale Nicholson, clerk of the Lower House committee of accounts, to submit to them the same accounts which had been laid before his committee. To this request the clerk of the Lower House committee replied that he was not permitted to deliver the papers requested. The Upper House thereupon resolved that it would in future allow no accounts to pass unless the originals, or copies attested before a magistrate, be submitted, and the rejected Journal was returned to the Lower House. It was further ordered that this resolve be printed by Mr. Green in six succeeding *Gazettes* (pp. 433–435). It was rejected by the Upper House on the last day of the session (p. 497). No Journal of Accounts was agreed upon and assented to by both houses until 1766 when what amounted to an uprising of the creditors of the Province forced the passage of a compromise Journal. In the opinion given by Charles Pratt, Attorney-General of the Crown, to the Lord Proprietary in 1759 on the constitutionality of certain measures put forward by the Lower House, he declared that the Upper House had the power to examine and approve all claims and accounts, and that this power did not vest in the lower chamber alone (p. 203).

LOAN OFFICE.

Popularly known as the Loan Office, this important agency of the Provincial government, in charge of commissioners designated originally by an act of the Assembly passed in 1733 and their successors since then apparently appointed by the Governor, was officially styled by the Upper House as "the Commissioners of the Paper Currency Office", and by the Lower House as "the Office of the Commissioners for Emitting Bills of Credit". The Loan Office had been established under the Paper Currency act of 1733 to secure the issue of £90,000 of bills of credit redeemable in thirty years, to be used as a paper currency circulating medium. The law provided that to secure this issue a sinking fund should be established. Various taxes, as well as a special fifteen pence export duty on tobacco per hogshead, were to be used to amortize

the sinking fund. The special taxes were to be paid directly to the Commissioners of the Loan Office to be invested by them in well-secured mortgages on land or on silver plate; the fifteen pence export duty on tobacco was, however, to be transmitted by the Naval Officers of the several ports of entry who collected it directly in the form of bills of exchange, to certain trustees in London, also named in the bill, who were to promptly invest the money so received in Capital Stock of the Bank of England (*Arch. Md.* XXXIX, 92-113). The Assembly, usually at least annually, appointed a joint committee of both houses to inspect the accounts of the Loan Office and of the London trustees deposited in this same office. As has been pointed out in a previous volume of the *Archives*, this joint committee had repeatedly complained that the accounts of the Loan Office were kept in such an irregular manner that it was difficult, or impossible, to properly audit them, and recommended that the Italian [double entry] system be introduced; and asked authority from the Assembly to examine the accounts of the Office *between sessions* (*Arch. Md.* LV, lii-liv).

A joint committee of the two houses was appointed at each of the three first sessions of this Assembly to examine the accounts of the Loan Office, but brought in no reports (pp. 19, 21, 47, 76, 152, 171, 182). At the *March-April 1760 session* the joint committee brought in a report that owing to the continued illness of Richard Dorsey, Clerk of the Loan Office, it was impossible to make a satisfactory examination of the Office accounts, which, however, appeared to be kept in the same irregular manner that had been complained of in former reports (pp. 205, 213, 229, 250). Again at the *September-October 1760 session*, the joint committee seems to have been unable to make an examination owing to the severe illness of the clerk (pp. 334, 354). At the *April-May 1761 session* the joint committee, of which Benedict Calvert of the Upper House was Chairman, was able to make an examination of the accounts (pp. 405, 440). Richard Dorsey, a justice of Anne Arundel County, who for some twenty years past had been clerk of the Loan Office, had died on December 11, 1760. On April 24, 1761, the committee submitted a sensational report of its findings. This made slight mention of the accounts of the Commissioners of the Loan Office in Annapolis, which doubtless showed no evidence of wrong-doing, but confined itself to the startling revelations which an examination of the accounts of the trustees of the sinking fund in London, filed in the Loan Office, had brought to light. These disclosed that for some four years Henry Darnall, Naval Officer of the Patuxent District, had failed to remit directly to the London trustees, as required by law, the fifteen pence tobacco export duty which he had collected, and in this way had embezzled about £2,000 of Provincial funds. The Darnall defalcation is narrated in detail elsewhere in this introduction, so the disclosures need not be repeated here (pp. lv-lviii). The examination also brought to light that some of the other naval officers, had been slow in making remittances to the London trustees, as well as the fact that the London trustees had not been over-careful in keeping their accounts, and had failed to comply with the provisions of the law requiring prompt investment by them in Bank of England Stock of all the funds in their hands.

The committee also reported that Benjamin Young, late Naval Officer of the Pocomoke District, had been dilatory in making remittances to the London trustees to the amount of £147—1—3*½*. A committee of the Lower House was appointed to request the Governor to bring suit against Young's bonds (pp. 477-478), but as his brother-in-law, Walter Dulany, a member of the committee which had discovered the irregularities in the accounts of the naval officers, at once paid the amount due by Young, an attempt made shortly afterward in this house to remove him as Naval Officer, failed by a vote of 29 to 7 (p. 478). The joint committee of the two houses also found that the accounts of the Loan Office were so badly kept that since 1757 the clerk had not entered any of the accounts of the several Naval Officers.

The report shows that there was then in the trustees' hands to the account of the Province £27,000 of the Capital Stock of the Bank of England which had been bought by them at a cost of £36,245 sterling. The joint committee criticized the trustees for allowing £6,000 to accumulate and "lie dead" over a five year period because they considered the stock at around 119 too high for purchase on account of the uncertainty of its price "untill a good Peace be attained". The committee did not approve of this speculation in price trends and calculated that the sinking fund would have been better off by £517—10—0, through interest gained, had the stock been purchased as the money was received.

PUBLICATION OF BACON'S LAWS.

The proposed codification and publication by the Reverend Thomas Bacon of a printed collection of Maryland laws had been before the Assembly since 1753, and has been referred to at length in the introduction to the previous volume of the *Archives* (*Arch. Md.* LV, li-lii). A petition from Bacon asking "encouragement for his trouble" in compiling the laws of the Province which he proposed to print was again presented to the Upper House at the *October-November 1758 session*, and referred by that body to the consideration of the Lower House (pp. 7, 27), but nothing further was done about it at that meeting.

At the second session the matter again came up for consideration, and the petition was presented by Bacon to the Upper House on November 29, 1758, where it was promptly sent to the lower chamber (p. 45). There it was referred on December 16 to a committee of nine headed by Walter Dulany (p. 107). Bacon submitted the proposal to this committee that he would deliver eighteen copies of the "Bodies of Laws" for the use of the public (i. e., the public authorities) for £300 current money, and that the work would be sold to subscribers paying their subscriptions in advance at the rate of forty shilling a copy. The committee reported to the house on December 20 that publication of a collection of the laws under the plan proposed would be of great public utility, but recommended that three gentlemen be first appointed under an act of the Assembly to go over all the petitioner's records with him so as to determine what laws are now actually in force; and that a clause be added to the bill authorizing the proposed publication which would declare

that the legal status of any laws which had been hitherto questioned should not in any way be altered by their inclusion in the collection, and that no law inserted should be altered or strengthened by its inclusion. The committee also reported that, while it felt that the charge of £300 for eighteen copies was reasonable, delivery of the printed book should be required within eighteen months after approval of the material to be included, and that the price to subscribers could be better fixed when the size of the volume as determined by the number of sheets, now only to be guessed at, was known (pp. 114, 115). On December 23, 1758 the Lower House concurred in the report of its committee and referred the matter to the next Assembly for further consideration (p. 125), but nothing was heard of Bacon or his "Laws" at the 1759 session. A petition, the nature of which is not disclosed, from Thomas Bacon, clerk, is mentioned again at the *March–April, 1760, session* (p. 243).

At the *September–October 1760 session* a petition from Bacon was once more read before the Lower House, which on October 11 ordered that he be given access to the old journals and copies of laws among the Lower House records for the better revising of the laws for publication, as those in the Provincial Secretary's office were in an imperfect and confused condition (p. 379). The house then ordered that a bill be brought in for the publication of the laws, and by a vote of 22 to 7 decided that this house insert in the bill the names of all the commissioners, or committees, appointed under the act to collect and approve the laws to be included in the "body" to be printed (p. 383). The bill was brought in and passed by the Lower House on October 15, 1760, and sent to the Upper House where it was immediately rejected (p. 384). The Lower House then ordered that it be printed in the *Maryland Gazette*. It appeared in the October 30 issue and is reproduced in the Appendix (pp. 514–516). An examination of certain of its terms makes it obvious why it was thrown out by the Upper House. Under it a committee of ten, named by the Lower House in the bill, was entrusted with supervising the preparation of the collection of laws and with approving those to be included in it, of which committee five were to be members of the Upper and five of the Lower House, and of the latter, three, Murdock, Carroll, and Hammond, were designated "to supervise and correct the Press". The Upper House obviously resented the selection by the lower chamber of the five members of the Upper House who were to serve on the committee of supervision, and even more that only members of the Lower House were to supervise the progress of the work through the press.

A final, though ineffectual, attempt was made at the *April–May 1761 session* to bring about the publication of Bacon's Laws by a legislative subsidy. A committee of three appointed by the Lower House to enquire into the revision or printing of previous collections of Maryland laws reported the entries relating to these as contained in the 1692 and 1715 Assembly journals (pp. 470–473). The Lower House then ordered that Bacon's "Proposals" for printing a collection of the laws of the Province "now in force" be entered in its journal (pp. 479–480). These proposals, although dated 1758, cover other matters

than do his "proposals" which appeared in the proceedings of the Lower House for the session of November–December 1758 (pp. 114–115), and relate to such details as the arrangement of the laws by sessions, their titles, marginal notes, revision of the manuscript, and time of publication, and provide for the purchase by the Province for £200 of three copies for the Governor, Upper House, and Lower House respectively, Bacon to be reimbursed by the sale of all the additional copies (pp. 479–480). The Lower House appointed a committee to prepare such a bill, which, after introduction, was amended in committee of the whole as to the inclusion in the collection of the act of 1704 under which the Governor retained for his own use the twelve pence export duty collected on every hogshead of tobacco shipped out of the Province, the validity of which was denied by the Lower House. A motion that the laws "in use" but "not in force" be not printed in the collection proper, but be added in an appendix, was lost by a vote of 29 to 6. A motion that the act by which the Lord Proprietary collected the twelve pence export duty tax on tobacco be not put in the collection but in an appendix as "not in force", was lost by a vote of 30 to 5. A motion that it be not inserted in the collection, "but put in an Appendix", was adopted by a vote of 24 to 11, the Proprietary members voting in the negative (pp. 475–477). Before these amendments had been adopted, it had been voted 18 to 17 that the Upper House be asked to name certain of its members, who would then be nominated in a bill now being drawn up in the Lower House, to act with members of the lower body for encouraging Bacon in the publication of the laws (p. 475). The Upper House replied to the message of the Lower House, dated May 1, appointing seven of its members (pp. 427, 482, 429, 483). The Lower House bill, with these names included, was passed on May 1, and sent to the Upper House (p. 483). There it was amended, apparently by the inclusion in the "Collection", as "a law now in force," the act of 1704 imposing an export duty of twelve pence a hogshead on tobacco, and by providing that taxes, varying in amount, and totalling about £300, be imposed in the several counties for the purchase of copies, and providing that eighteen copies be printed on large paper, in good type and bound in calf skin and lettered, to be distributed to the Governor, the two houses of the Assembly, the Provincial Court, and to each of the fourteen counties (pp. 432–433). The inclusion of the tobacco export duty act in the collection proper as insisted upon by the Upper House was a point on which the Lower House was equally determined not to agree. The amended bill as returned to it received no further attention by the Lower House at this session, nor was any attempt to be made at later sessions "to encourage" by legislation the publication of Bacon's "Collection of Laws". Its publication was made possible later by private subscriptions and by the sale of copies to the public, and it may be added that as printed it did contain the disputed tobacco export duty act. Its story, from its inception by Bacon to the publication of this notable volume in 1766, is graphically told by Lawrence P. Wroth in his *History of Printing in Colonial Maryland*, 1922 (pp. 103–110).

APPENDIX

In the Appendix will be found printed not only a number of contemporary documents having a direct bearing upon matters before the Assembly in the 1758-1761 period, but some important correspondence of Governor Sharpe, which was apparently unavailable, or overlooked, when the Sharpe Correspondence was printed a number of years ago (*Arch. Md.* VI, IX, XIV, XXXI).

Much of this hitherto unpublished material which has a direct bearing upon the Assembly proceedings is in the form of petitions addressed to the Governor and both houses requesting legislative relief. A few of these are undated, but appear to be of this period. A bill to divide All Saints' Parish, Frederick County, passed by the Upper House at the March-April 1760 session and rejected in the Lower House, will be found printed on pages 501-502. There is an undated petition, also presented at this session, requesting the passage of an act to tax the inhabitants of this same parish for the repair of the parish church and two chapels of ease (pp. 502-504). There are two undated petitions relating to Prince George's Parish, lying in Frederick, one requesting the passage of an act for its division into two parishes (pp. 504-506) and another presented at the March-April 1760 session, for the erection of a chapel of ease on Hawlings River, a branch of the Patuxent (pp. 506-508). The petition, presented at the April-May, 1761, session, asking for an act to validate the proceedings of a meeting of the vestry of St. Stephen's Parish, Cecil County, is printed on page 508.

Six petitions from sundry languishing prisoners for debt in county jails are printed in the Appendix (pp. 509-514). Although the legal phraseology is similar in all, there is variation in the human interest in each of these cases which makes them worth reproducing. Earlier Assembly proceedings show that four of these petitioners were in prison and had petitioned for relief in 1757 (*Arch. Md.* LV, 169). The petitions now printed reveal that some of these unfortunates had been prisoners for debt for as long as four years. Each petitioner expressed willingness to give up everything he possessed to help pay his debts, which he could not do in full as long as he was kept in prison. One even expressed a willingness to indenture himself as a servant to pay his creditors. Some had helpless families dependent upon them. The ultimate fate of these wretched debtors is only known in the case of a certain John Turnbull in prison in 1757, who was not released until legislative relief was secured in 1765. Some of the others may have been released by creditors who had relented. Some doubtless died in prison. In the past it had been customary for the Assembly at frequent intervals to pass acts releasing certain specified "languishing prisoners" for debt. Since the session of May 1757, when such an act was last passed, no relief had been granted because the Upper House was unwilling to relieve debtors to the Lord Proprietary, who the other chamber insisted should be included in the act (pp. 62, 123). Nor was relief again granted to debtors by legislative action until 1765.

The bill authorizing the publication of Bacon's Collection of Laws, discussed at length in a preceding section (pp. lxxi-lxxiii), was passed on October 15,

1760, by the Lower House but was so amended in the Upper House, that the lower chamber refused to accept the amendments, and ordered it printed in the *Maryland Gazette*. It is reprinted from the *Gazette* in the Appendix (pp. 514-516).

It has been pointed out in the discussion of the Naturalization Bill (pp. lxiii-lxvi) that unnaturalized aliens were often the victims of grave injustice because their lands were held under defective titles and were subject to escheat, and a flagrant instance of this kind was mentioned in the case of the estate of Valencius Duchart. The record in this case in the form of a petition is printed in full in the Appendix (pp. 517-519).

The Darnall defalcation, already discussed in a previous section (pp. lv-lviii), gave rise to bitter recriminations between the Governor and the Lower House. It will be recalled that Sharpe requested the House to include in its journal his correspondence with Attorney-General Stephen Bordley and with the Loan Office, which would show that he had done everything in his power to protect the interests of the Province. As the Lower House did not comply with this request, all the documents in the case were ordered printed by the Governor and Council in pamphlet form for public distribution. The omitted letters, taken from this pamphlet, are printed in the Appendix (pp. 519-521).

Four letters which apparently escaped the attention of the editor when the Sharpe correspondence for this period was published in 1890 (*Arch. Md.* IX) are now printed for the first time and will be found in the Appendix. Two of these are communications from Frederick, the Lord Proprietary, to Sharpe, usually designated as "instructions", dated, respectively, March 17, 1759, and Dec. 20, 1760, formally notifying the Governor of his "assent" to the acts passed by the Assembly and approved by the Governor at the March-May 1758 and March-April 1760 sessions (pp. 522-524). There is also a letter from Secretary Cecilius Calvert, dated at London, March 30, 1759, referring to various Maryland matters, including such controversial questions before the Assembly as the Steuart-Woodward disputed election case, Attorney-General Pratt's opinion on the constitutionality of the Service Bill, the double tax on Roman Catholics, and other less important matters. It also contains a dig at Benjamin Franklin, then in London (pp. 525-526).

There is printed in the Appendix a very interesting letter dated March 30, 1759, from Governor Sharpe to his brother, Philip Sharpe, of London, in regard to the exchange of French prisoners and what would appear to have been an illegal trade carried on in privateer vessels under flags of truce between certain American colonies and the French West Indies, resulting in the export of goods to the enemy and the drainage of gold from the colonies. Sharpe also tells of handsome "douceurs" received by Governor Denny of Pennsylvania and Governor Bernard of New Jersey for granting such flags of truce to privateers to trade, which seemed to him to savor of what in modern parlance might be called graft. Sharpe says that while all the colonial lawyers feel that this trade is legitimate, he has refused to further it, and adds that he has serious doubts as to whether the Ministry will approve of it. He asks his brother Philip to look into the question and to give him an opinion upon it (pp. 526-528).

In the Appendix will be found printed seven letters to Sharpe from General Amherst and General Sinclair not previously printed. The two from St. Clair deal entirely with military matters. The five letters from Amherst, written during the years 1759, 1760, and 1761, all relate to the obdurate attitude of the Lower House towards the passage of a suitable Supply bill, and include frequent assurances from Amherst that he realizes that Sharpe was doing all in his power to secure the passage of a satisfactory bill (pp. 529-532).

PROCEEDINGS
OF THE
GENERAL ASSEMBLY OF MARYLAND

At a Session Held at Annapolis, October 23–November 4, 1758.

*Being the First Session of the Assembly Elected in
September, 1758*

FREDERICK CALVERT, LORD BALTIMORE,
Lord Proprietary.

HORATIO SHARPE,
Governor.

PROCEEDINGS
OF THE
UPPER HOUSE OF ASSEMBLY

At a Convention of Assembly begun and held at the City of Annapolis on Monday the Twenty third day of October in the Eighth Year of his Lordships Dominion Annoq Domini 1758

U.H.J.
Liber No. 35
1758
Oct. 23
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Present

His Excellency Horatio Sharpe Esq; Governor

The Honble { Benjamin Tasker Esq.^r
Col.^o Hammond } Benedict Calvert Esq;
Col.^o Tasker } Daniel Dulany Esq:

Mess.^{rs} Lloyd and Tilghman from the Lower House acquaint his Excellency that there are a Sufficient Number of Members met to make a House, and wait his Excellencys Commands

Benedict Calvert and Daniel Dulany Esq.^{rs} are sent to the Lower House to Administer the Oaths to the Government appointed to be Taken by Act of Assembly of this Province to the several Members of that House and ordered that the Clerk of this House attend them who Administered the Several Oaths to the several Members then Present, and they all Subscribed the Oaths of Abjuration and Test

Col.^o Hammond and Col.^o Tasker are sent to Acquaint the Lower House that his Excellency requires their attendance in the Upper House immediately

The Lower House attend and his Excellency orders them to Return to their House and make Choice of a Speaker.

Mess.^{rs} Lloyd and Tilghman from the Lower House acquaint his Excellency their House hath made Choice of a Speaker

Benedict Calvert and Daniel Dulany Esq.^{rs} are sent to the Lower House to Inform them that his Excellency requires their attendance in the Upper House to present their Speaker for his Approbation

The Lower House attend and present Col.^o Henry Hooper as their Speaker with which Choice his Excellency Declares himself well pleased and makes the following Speech

Gentlemen of the [Upper and] Lower House of Assembly.

As many of you are already Acquainted with what Passed Between the two Houses of Assembly during our Late Sessions and the rest of you may easily inform your selves by recurring to their Journals

U. H. J. I will not enter into a detail of the measures which were then pursued but shall only Observe to you that they were Such as unhappily gave occasion for an odious Distinction to be made Between the Inhabitants of Maryland and those of the Neighbouring Colonies, and inclined his Majesty's Generals who were appointed to command his Forces in these parts to entertain a very unfavourable Opinion of the People of this Province

Liber No. 35
Oct. 23
p. 363

Being However well Satisfied myself that it was far from the Desire of the People in General to be exempted from Contributing their Quota for the Expedition which General Forbes in Obedience to his Majestys especial order was then about to undertake and in the Event whereof none could be more interested than themselves, I thought it my Duty to assure the General when I paid him a visit on the Frontiers of Pensylvania that if such aids as he might have expected from us were not granted it ought not to be Attributed to want of Inclination in the People of Maryland to promote the Service but to an accidental Difference in opinion, and an unhappy Disagreem.^t Between the two Houses of Assembly about the mode of raising the necessary Supplies which I flattered myself would not be the Case at any future Session

By this Representation the General was induced as you may learn from a Letter of his which shall be laid before you to Advance a Sum of Money on the Credit of the Province to encourage the Maryland Troops to Continue in the Service dureing the Campaign, and untill the Legislature should meet again and agree on a Bill for Reimbursing his Excellency and paying of the arrears that might be then due to Lieutenant Col^o Dagworthy and the Companies under his Command: you will also see that in Compassion to M^r Ross, who haveing victualled our Troops at Fort Cumberland and Fort Frederick in Consequence of an agreement made Last year with the agents, was greatly Distressed by the Assembly's breaking up without putting it in those Gentlemens Power to pay him, his Excellency hath been pleased to advance him Likewise some Money to Support his Credit untill Supplies shall be raised and the agents be impowered to pay what upon a Settlem.^t shall appear due to him I do not Exactly know what M^r Rosses Claim and the arrears of pay that are now due to our Troops amount to, but I belive the whole doth not exceed thirteen or Fourteen Thousand pounds at the most a Sum that is very inconsiderable in Comparison of the Supplies which have been granted this year by the other Colonies for his Majestys Service and much Less I am persuaided than the Inhabitants of this Province can afford and would Clearfully give for the Same Purpose.

Gentlemen

What has been now Communicated to you I am desired to Recom-
p. 364 mend in the first place to your Consideration, and that your

Attention might not be diverted I decline mentioning any Other Matters untill you shall have Come to some resolution with regard to the Generals Letter to which I hope you will very soon enable me to give such an Answer as might Convince him that you merit the confidence he hath been pleased to repose in the Assembly, and that you meet Determined to Demonstrate by your proceedings, more than by professions that you are pleased with the extraordinary Zeal which our Troops have shewn for his Majestys Service and the Honour of the Province, and that Notwithstanding the Ill Opinion which some who are Strangers to the Real Principles of the Inhabitants of Maryland have been led to entertain of them, there are not in his Majestys Dominions more Loyal nor more Dutifull Subjects.

U. H. J.
Liber No. 35
Oct. 23

Camp at Carlisle July 20.th 1758

Sir

Having considered what you have told me Concerning the Situation of your Maryland Troops and particularly about the distressed Condition of the officers, and of M^r Ross by whom your Forces have been victualled Since the Money which was granted by your Assembly for their Support was expended and being very averse to your Troops being disbandoned at this critical Juncture when in all Probability I shall have great occasion for their Service I am induced to Advance a Sum of Money towards relieving those Gentlemen in Some Measure from the Difficulties wherein they are involved by the Late Extraordinary Conduct of your Assembly and to encourage your Troops to keep Together dureing the Campaign

As I do not Take upon myself to pay your Troops the arrears that are due to them, or Satisfy M^r Ross but expect that your Assembly will out of the Supplies which they shall grant at their next meeting appropriate a Sum for those Purposes, I shall not Concern myself with any Accounts whatever that I leave to your Assembly or to Such Persons as you or they may appoint but what I Advance I advance upon the Credit of the Province to be repaid me out of the first Money that your Assembly may raise, and I desire you will Communicate this Letter to them that they may be thoroughly apprized of my Intentions and Expectations.

As I doubt not but your Assembly will Notwithstanding what has Lately happened be satisfied with my keeping your Troops together till the end of the Campaign I shall not Scruple to Assure them that they will most Certainly be paid as Long as they shall Continue in the Service.

I am with great Regard &c^a

Your Excellencys most Obed^t & most Humble Serv^t

To Gov^r Sharpe.

Jo. fforbes

Mess.^{rs} Murdock and Gassaway from the Lower House acquaint his Excellency that their House hath made choice of M^r Michael

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U. H. J. Macnemara for their Clerk and hope for his Excellencys Approbation
 Liber No. 35 to whome his Excellency is pleased to declare that he approves their
 Oct. 23 Choice

Mess.^{rs} Lloyd and Hopper from the Lower House attend with M.^r Michael Macnemara Clerk of the said House in order to see him quallified who Takes the oaths to the Government appointed to be Taken by Act of Assembly, and Subscribes the abjuration and Test and also Takes the usual Oath of Office and then withdraws.

Adjourned till to Morrow Morning 10. o' the Clock

Oct. 24

Tuesday Morning 24th Octo.^r 1758

This House met again According to Adjournment
 Present as Yesterday except Col.^o Hammond

Mess.^{rs} Goldsborough and Willson attend with M.^r Pollard Edmonson and M.^r Woolman Gibson Members elected for Talbot County and M.^r William Waters a member Elected for Somerset County to See them qualified, who Takes the Oaths to the Governm.^t appointed to be Taken by Act of Assembly, repeat and Subscribe the adjuration and Test and then withdraws.

Adjourned till to Morrow Morning 10. of the Clock

Oct. 25

Wednesday Morning 25.th Octo.^r 1758

This House met again according to Adjournment
 Present as yesterday & Richard Lee Esq
 Adjourned till to Morrow Morning 10: o'Clock

Oct. 26

Thursday Morning 26.th October 1758

This House met again according to Adjournment
 Present as yesterday

Mess.^{rs} Scarborough and Purnell from the Lower House attend with M^r Handy and M^r Harris members elected for worcester County who take the oaths to the Government appointed to be Taken by Act of Assembly repeat and Subscribe the Abjuration and Test and then withdrew

A Message from the Lower House By Mess.^{rs} Hanson and Plater
 By the Lower House of Assembly 26th Octo.^r 1758
 May it Please your Honours.

This House hath appointed M^r Dulany M^r Earle M^r Loyd, Alexander Williamson Esq, M^r Worthington M^r Hanson and M^r Plater a Committee from this House to inspect the Accounts and proceed-

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ings of the Com.^{rs} or Trustees for emitting Bills of Credit Established by Act of Assembly and desire your Honours to Appoint one or more of the members of your House to join in the said Committee.

U. H. J.
Liber No. 35
Oct. 26

Signed p Order M. Macnemara Cl. Lo. Ho.

The following Message is sent to the Lower House by Richard Lee Esq

By the Upper House of Assembly 26th Octo.^r 1758

Gentlemen

This House hath appointed Richard Lee Esq to join the members named by your House in a Committee to inspect the accounts and Proceedings of the Commissioners of the Paper Currency Office

Signed p order J Ross Cl. Up. Ho.

Adjourned till to Morrow Morning at 10. of the Clock

Friday Morning 27.th October 1758

Oct. 27

This House met again According to Adjournment

Present as Yesterday and Col Hammond

Mess.^{rs} Sullivan and Edmunson from the Lower House attend with M.^r Charles Goldsborough a member elected for Dorchester County to See him qualified who Takes the oaths to the Government appointed to be Taken by Act of Assembly repeats and Subscribes the abjuration and Test and then withdraws

Read the Petition of Thomas Bacon Clerk Rector of S^t Peters Parish in Talbot County Praying that Some Encouragement may be given him for the Pains and Trouble he has been at in Collecting revising and Abridging the Laws of this Province referred to the Consideration of the Lower House and sent by Richard Lee Esq.

Adjourned till 3 of the Clock in the afternoon

Eodem die Post Meridiem

This House met again According to Adjournment

Present as in the morning

Benjamin Tasker Esq attended by the members of this House presents to his Excellency their Address which follows in these words

To his Excellency Horatio Sharpe Esq.^r and Commander in Chief in and Over the Province of Maryland

The Humble Address of the Upper House of Assembly
May it Please your Excellency.

The extraordinary Zeal which our Troops, under many discouraging Circumstances have Shewen for his Majestys Service, and the

U. H. J. Credit of their Country gives us the greatest Pleasure, and we shall
Liber No. 35 on our Parts most chearfully agree to repay the Money which hath
Oct. 27 been expended for their Necessary Support as well as on M^r Ross's
Account whose Confidence in the Honour of the Province ought not
to turn to his Disadvantage

We are extremely sorry that any occasion has been given for an odious Distinction to be made Between the Inhabitants of Maryland and those of the Neighbouring Colonies and are obliged to your Excellency for the just Representation you made of the Disposition of the people of this Province whose principles might be doubted amongst Strangers unacquainted with the real Springs of Publick Proceedings, and judging only from remote and falacious appearance, the abundant Proofs we have already given your Excellency of our Sincere Disposition to Advance his Majestys Service make it unnecessary to Assure you at this Time of our Determination to hold the same Conduct

We beg Leave to return your Excellency our warmest thanks for your Care of the Frontier Inhabitants dureing Last Summer a Service discouraged by so many Disagreeable Circumstances and attended with so much Hardship and Fatigue that very few in your Scituation would have undertaken it with the alacrity and Sustained it with the Firmness your Excellency has done

Indeed the measures which your Prudence Suggested your example recommended and your Activity supported have very Considerably promoted the Common Cause, as they enabled the General to draw into the Field those Troops which would have been Necessarily left for the Defence of Fort Cumberland, had not your Excellency undertaken to garrison that place with Volunteers "whose Spirit on this Occasion cant bee too much Commended" and Com- mend them in Person

We should Take the Liberty of recommending to your Excellency's Particular Countenance those Gentlemen of Frederick County who have distinguished themselves in Seconding your Excellencys Purpose, if we were not Satisfied that the merit of such a Spirited Conduct is the Strongest Recommendation to your Excellency's Regards

B. Tasker Presid.^t

p. 368 Adjourned till to Morrow Morning at 10. of the Clock

Oct. 28

Saturday Morning 28.th October 1758.

This House met again According to Adjournment

Present as Yesterday

Adjourned till Monday Morning at 10' of the Clock

Monday Morning 30th of October 1758

This House met again according to Adjournment

U. H. J.
Liber No. 35
Oct. 30

Present

The Honble { Col.^o Hammond } Daniel Dulany Esq.^r
Richard Lee Esq.^r { Benedict Calvert Esq }

Mess.^{rs} Carroll and Worthington attend with M.^r Philip Hammond a member Elected for Ann Arundell County and M.^r James John Mackall a Member Elected for Calvert County to see them quallified, who take the oaths to the Government Appointed to be Taken by Act of Assembly repeat and Subscribe the Abjuration and Test and then withdraw.

His Excellency is pleased to Communicate to this House his answer to their Address which follows in these words

Gentlemen of the Upper House of Assembly

I Return you thanks for your very Obliging Address and Particularly for your Promise that you will on your part most Clearly agree to repay the money which hath been Advanced by the General to M^r Ross as well as what hath been expended for the Necessary Support of our Troops, whose Zeal for his Majesty's Service and the Honour of the Province I was confident you would Command.

It gives me great Satisfaction to be assured that you approve of the Steps which have been taken since May last for the Security of our Frontier Inhabitants. I reflect with pleasure on the Behaviour of the Militia in General that have served this Summer under my Command and on the Laudable Spirit which many of the Gentlemen of Frederick County in Particular shewed when it was intimated to them that the General had desired me to Garrison Fort Cumberland for a few Weeks with some of the Militia of this Province

Hor.^o Sharpe

Adjourned till two of the Clock in the afternoon

Eodem die Post Meridiem

This House met again According to Adjournment

Present as in the Morning

Mess.^{rs} Mackall and Gantt attend with Col.^o William Fitzhugh a member Elected for Calvert County to See him quallified who takes the Oaths to the Government Appointed to be Taken by Act of p. 369 Assembly repeats and Subscribes the abjuration and test and then withdraws.

Adjourned till to Morrow Morning 10' of the Clock

U. H. J.
Liber No. 35
Oct. 31

Tuesday Morning 31st Octo.^r 1758

This House met again according to Adjournment

Present as Yesterday

Mess.rs Williamson and Hynson attend with Mr Richard Gresham and Mr John Tilden Members Elected for Kent County to see them quallified who Takes the oaths to the Government appointed to be Taken by Act of Assembly repeat and Subscribe the abjuration and Test and then withdraw

Adjourned till three of the Clock in the afternoon

Eodem Die post Meridiem

This House met again According to Adjournment

Present as yesterday & Col.^o Henry & Col.^o Goldsborough
Adjourned till tomorrow morning at 10 of the Clock.

Nov. 1

Wednesday Morning 1st November 1758.

This House met again according to Adjournment

Present as yesterday and Benjamin Tasker Esq.

Adjourned till 3. of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning at 10 of the Clock

Nov. 2

Thursday Morning 2^d November 1758

This House met again According to Adjournment

Present as Yesterday

Adjourned till three of the Clock of the afternoon

Eodem die post Meridiem

This House met again according to Adjournment

Present as in the Morning and Col.^o Tasker

Adjourned till to Morrow Morning 10 of the Clock

Nov. 3

Friday Morning 3^d November 1758

This House met again According to Adjournment

Present as Yesterday

U. H. J.
Liber No. 35
Nov. 3

Adjourned till three of the Clock in the afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

p. 370

Present as the Morning

Adjourned till to Morrow Morning 10: of Clock

Saturday Morning 4.th Nov. 1758

Nov. 4

This House met again according to Adjournment

Present as yesterday

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem.

This House met again according to Adjournment

Present as in the Morning

Daniel Dulany Esq and Col.^o Henry are sent to the Lower House to acquaint the Speaker that his Excellency requires his immediate Attendance with the Lower House in the Upper House.

The Lower House attend and his Excellency was pleased to Conclude this Convention with the following Speech

Gentlemen of the Upper and Lower Houses of Assembly

I have thought fit with the advice of his Lordships Council of State to Prorogue this Assembly to Tuesday the Seventh day of this Instant November, you are therefore to take Notice that you are prorogued to that day Accordingly

Thus ends this Convention of Assembly begun and held at the City of Annapolis on Monday the Twenty third day of October, ending the 4th day of November following in the Eighth year of his Lordships Dominion Annoq Domini 1758.

J. Ross Cl Up Ho

PROCEEDINGS
OF THE
LOWER HOUSE OF ASSEMBLY

L. H. J.
Liber No. 51
1758
Oct. 23
p. I

At a Session of Assembly begun and held at the City of Annapolis,
on Monday the 23d Day of October, in the Year of our Lord One
Thousand Seven Hundred and Fifty-eight, and in the Eighth Year
of the Dominion of the Right Honourable Frederick, Absolute Lord
and Proprietary of the Provinces of Maryland and Avalon, Lord
Baron of Baltimore, &c. (his Excellency Horatio Sharpe, Esq; being
Governor), the following Delegates appeared in the Lower House
of Assembly, viz.

For St. Mary's County,

Mr. George Plater,
Mr. Edmund Key,
Mr. H. Greenfield Sothoron,
Mr. Thomas Greenfield.

For Baltimore County,

Mr. Thomas Cockey Deye,
Mr. William Govane,
Mr. John Hammond Dorsey,
Mr. Samuel Owings.

For Kent County,

Alexander Williamson, Esq;
Major William Hynson.

For Cæcil County,

Mr. Michael Earle,
Mr. Henry Baker,
Mr. Henry Ward,
Mr. Francis Mauldin.

For Anne-Arundel County,

Capt. John Gassaway,
Mr. Charles Carroll,
Mr. Brice T. B. Worthington.

For Prince-George's County,

Mr. William Murdock,
Mr. Francis King,
Mr. Josias Beall, junior.

For Calvert County,

Mr. Edward Gantt.

For the City of Annapolis,

Mr. Walter Dulany,
Dr. George Steuart.

For Charles County,

Mr. John Hanson, junior,
Capt. George Dent,
Mr. John Trueman Stoddert.

For Queen-Anne's County,

Mr. Robert Lloyd,
Col. Edward Tilghman,
Col. William Hopper,
Mr. Thomas Harris.

For Somerset County,

Major Henry Wagaman,
Mr. Samuel Wilson.

For Talbot County,
Mr. John Goldsborough,
Mr. Samuel Bowman.

For Worcester County,
Col. John Scarborough,
Mr. Zadock Purnell.

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For Dorchester County,
Col. Henry Hooper,
Mr. Daniel Sulivane.

For Frederick County,
Capt. Joseph Chapline,
Mr. Edward Dorsey,
Col. Thomas Cresap.

A sufficient Number of Delegates, to compose a Lower House ^{p. 2} of Assembly, being convened at the Stadt-House, Mr. John Goldsborough, a Delegate returned to serve in this Assembly from Talbot County, and Col. Edward Tilghman, a Delegate returned to serve for Queen-Anne's County, attended on his Excellency the Governor, to acquaint him therewith.

Benedict Calvert, and Daniel Dulany, Esquires, from the Upper House, and Mr. John Ross, Clerk of the Council, came into the Stadt-House; in whose Presence the aforesaid Delegates took the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and signed the Test.

Col. Hammond, and Col. Tasker, from the Upper House, acquaint the Members of this House, That the Governor requires their Attendance in the Upper House.

The Members of the Lower House went to the Upper House. His Excellency required them to return to the Lower House, and choose a Speaker.

They returned, and unanimously made Choice of Col. Henry Hooper, a Delegate of Dorchester County, to be their Speaker, and placed him in the Chair.

Mr. Lloyd and Mr. Goldsborough were sent to acquaint his Excellency, That this House hath made Choice of a Speaker.

Benedict Calvert, and Daniel Dulany, Esquires, from the Upper House, acquaint the Members of this House, That the Governor requires their Attendance in the Upper House, to present their Speaker.

The Members of the Lower House went to the Upper House, and presented (to the Governor) Colonel Henry Hooper, as their Speaker.

His Excellency gave his Approbation of their Choice; and made the following Speech, viz.

Gentlemen of the Upper and Lower Houses of Assembly,

As many of you are already acquainted with what passed between . . . [The speech beginning thus is printed in full in the *Upper House Journal pp. 3-5*]

Mr. Speaker (with the Rest of the Members) Returned to the Lower House; and Re-assumed the Chair.

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The House proceeded to choose a Clerk, and made Choice of Mr. Michael Macnemara.

Ordered, That Mr. Murdock and Capt. Gassaway do acquaint his Excellency with the Choice which this House hath made of a Clerk, and to desire his Approbation. They return and acquaint Mr. Speaker, That they delivered the Message.

Ordered, That Mr. Robert Lloyd and Col. Hopper do go with Mr. Macnemara to the Upper House, to see him Qualified as Clerk of this House. They return and acquaint Mr. Speaker, That they saw him take the several Oaths to the Government required by Law, sign the Oath of Abjuration, and repeat and sign the Test, and take the following Oath of Office:

You Michael Macnemara do swear, That as Clerk of the Lower House of Assembly, you shall true Entries make of all such Matters and Things, as, by the Honourable Speaker for the Time being and that House, shall be to you directed: The Secrets of the said House you shall not divulge, to the Prejudice of the House or any Member thereof; but shall in all Things, as Clerk to the said House, well and truly demean yourself according to the best of your Knowledge. So help you God.

Ordered, That his Excellency's Speech (a Copy of which the Governor delivered to Mr. Speaker) be Read; which was accordingly; and Ordered to lie on the Table.

His Excellency the Governor communicated to Mr. Speaker, the following Letter, viz.

p. 5 Sir,

Camp at Carlisle, July 20th, 1758.

Having considered what you have told me concerning the Situation of your Maryland Troops, and particularly about the distressed Condition of the Officers, and of Mr. Ross, by whom your Forces have been Victualled since the Money which was granted by your Assembly for their Support, was expended; and being very averse to your Troops being disbanded at this critical Juncture, when, in all Probability, I shall have great Occasion for their Service; I am induced to advance a Sum of Money towards Relieving those Gentlemen, in some Measure, from the Difficulties wherein they are involved, by the late extraordinary Conduct of your Assembly, and to encourage your Troops to keep together during the Campaign. As I do not take upon myself to pay your Troops the Arrears that are due to them, or satisfy Mr. Ross, but expect that your Assembly will, out of the Supplies which they shall grant at their next Meeting, appropriate a Sum for those Purposes, I shall not concern myself with any Account whatever; That I leave to your Assembly, or to such Persons as you or they may appoint; but what I advance upon the Credit of the Province to be repaid me out of the first Money

that your Assembly may raise; and I desire you will communicate this Letter to them, that they may be thoroughly apprized of my Intentions and Expectations. As I doubt not but your Assembly will, notwithstanding what has lately happened, be satisfied with my keeping your Troops together till the End of the Campaign, I shall not scruple to assure them, that they will most certainly be paid as long as they shall continue in the Service. I am, with great Regard, &c.

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Your Excellency's most obedient,
and most humble Servant,

To Governor Sharpe.

Jo. Forbes.

Which was Read, and Ordered to lie on the Table.

The House appointed Capt. Robert Saunders, Serjeant at Arms, and Andrew Buchanan, Door-Keeper to the Lower House of Assembly; and Ordered, That Doctor Steuart do administer to them the several Oaths to the Government, and the Oath of their respective Offices.

The House adjourns till the Morrow Morning at 9 of the Clock.

Tuesday, 24th October, 1758.

Oct. 24

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Dr. Steuart acquaints Mr. Speaker, That Capt. Robert Saunders, and Andrew Buchanan, had taken the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and signed the Test, before him; and severally took the following Oath of Office, viz.

You Robert Saunders do swear, that you will faithfully, diligently, and honestly discharge the Office of Serjeant at Arms to the Lower House of Assembly; and that you shall not disclose or reveal the Secrets thereof. So help you God.

You Andrew Buchanan do swear, that you will faithfully, diligently, and honestly discharge the Office of Door-Keeper to the Lower House of Assembly; and that you shall not disclose or reveal the Secrets thereof. So help you God.

Ordered, That the following Rules be observed as such during this Session, viz.

1st That no Member of the House shall use any reviling Speeches, or name any Member by his proper Name, otherwise than for Distinction's Sake; but shall rather use some other Signification, as, The Gentleman that spoke last, or the like.

2^d That no Member speak above once at the Reading of any Bill or Debate, without License of the Speaker and the House; and if Two Persons, or more, shall rise up together, the Speaker shall

p. 6

L. H. J. appoint who shall speak first; and no Member shall interrupt any other, until the Gentleman speaking hath ended.
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3^d That none shall deliver his Opinion, or speak to any Bill or Debate, unless he shall stand up, and reverently direct his Speech to the Speaker.

4th That every Bill proposed to the House shall be Read Two several Days before it is sent to the Upper House, and once after, before it be Ingrossed, and that between every Reading one Day shall be intermittent and that in that Time the Bill be laid on the Table, for the Perusal of all the Members; unless, an very urgent Occasions, Mr. Speaker, with the Consent of the House, shall dispense therewith; and then one Bill being Read Twice at one Sitting, shall be as sufficient as if Read several Days, when so entered in the Clerk's Journal.

5th That no Person shall come into the House of Assembly whilst the same is Sitting, with Sword or other Weapon, upon Penalty of such Fine as shall be imposed on them by the Speaker, not exceeding Five Shillings for any Offence.

p. 7 6th That if any Member, bound to attend this Assembly, shall be absent at the House and Place appointed after the Number of Twelve of the Members, with the Speaker, are met, according to the Order for sitting, shall be fined according to the Discretion of the Speaker, not exceeding Five Shillings for any Offence unless upon such lawful Excuse as the Speaker shall admit of.

7th All Misdemeanours which shall happen in the House, shall be censured and fined in the House.

8th That no Bill shall be Read at any Time during this Session, till all the Members in Town be called on except on some Excuse to be admitted by the Speaker.

9th That if any Member of this House do depart, without Leave from the Honourable Speaker and the House, such Member shall forfeit all his preceding Allowances due to him for his Attendance that Session.

Resolved Unanimously, That the following be Entered on the Journal, as the Resolves of this House, viz.

Resolved by the House, That the Members who are appointed as Members of the Committee of Aggrievances, have likewise the Character of a Committee for Courts of Justice; and that That Character, and the Duty of such Committee, be annexed to the said Committee of Aggrievances, as a standing Part of that Duty. And that it be an Instruction to the said Committee of Courts of Justice, that they observe the Nature of all the Commissions to the several Courts of Judicature within this Province; and that they especially observe any Alterations that may at any Time happen by accidental Omission, or

otherwise, therein; and particularly relating to such Words therein, as require the several Judges and Justices to hear, try, and determine, according to the Laws, Statutes, Ordinances, and reasonable Customs of England and of this Province, or to such other Words as have Relation thereto; and that they shall immediately make Report to the House of any Alteration that shall at any Time happen in such Commission; and likewise to the Regard, as near as may be, to observe wherein they differ from the Forms of the several Sorts of Commissions to the Judges and Justices in England.

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Likewise Resolves, That it be an Instruction to the said Committee, to inspect the Form of the Oaths of Office, that have been, and now are usually taken by the several Magistrates; and that in Case the following Clause be not inserted in the said Oath, it be Reported to the House; such Clause being agreeable to the Oath taken by the Judges in England, and Resolved to be necessary here, viz.

"To do equal Law and Right to all the King's Subjects, Rich and Poor; and not to delay any Person of common Right, for the Letters of the King, the Lord Proprietary, or of any other, or for any other Cause; but if any such Letters come to them, they shall proceed to do the Law, the same Letters notwithstanding."

And that a Copy of these Resolves be made and given to the said Committee, when they first go out every Sessions; and that making and giving such Copies be the undoubted Duty of the Clerk of this House, and within the Purview of his Oath.

Resolved also, That this Province is not under the Circumstances of a conquered Country; that if it were, the present Christian Inhabitants thereof would be in the Circumstances, not of the Conquered, but of the Conqueror, it being a Colony of the English Nation, encouraged by the Crown to transplant themselves hither, for the Sake of improving and enlarging it's Dominions; which, by the Blessing of God upon their Endeavours, at their own Expence and Labour, has been in a great Measure obtained; And 'tis Unanimously Resolved, That whoever shall advance, that his Majesty's Subjects, by such their Endeavours and Success, have forfeited any Part of their English Liberties, are not Well-wishers to the Country, and mistake it's happy Constitution.

Resolved also, That if there be any Pretence of Conquest, it can be only supposed against the Native Indian Infidels; which Supposition cannot be admitted, because the Christian Inhabitants purchased great Part of the Land they at first took up from the Indians, as well as from the Lord Proprietary, and have ever since continued in an amicable Course of Trade with them; except some partial Outrages and Skirmishes, which never amounted to a general War, much less to a general Conquest, the Indians yet enjoying

L. H. J. their Rights and Privileges of Treaties and Trade with the English,
 Liber No. 51 of whom we yet frequently purchase their Rights of such Lands as
 Oct. 24 we take up, as well as of the Lord Proprietary.

Resolved further, That this Province hath always hitherto had the Common Law, and such general Statutes of England, as are securitative of the Rights and Liberties of the Subject, and such Acts of Assembly as were made in the Province to suit it's particular Constitution, as the Rule and Standard of it's Government and Judicature; such Statutes and Acts of Assembly being subject to the like Rules of Common Law, or equitable Construction, as are used by the Judges in construing Statutes in England; which happy Rules have, by his Majesty and his Royal Ancestors, and also by his Lordship and his Noble Ancestors, or some of them, been hitherto approved, by having the Commissions of Judicature to include Directions of that Nature to the several judicial Magistrates; unless those Words p. 9 have at any Time been casually or carelessly omitted by the Officers in this Province, that drew such Commissions.

Resolved, That the Levying and Taking the Sum of Twelve Pence Sterling per Hogshead, by the Right Honourable the Lord Proprietary of this Province, on all Tobacco exported out of the same, under Pretence and Colour of the Act of 1704, is not warranted by Law.

Resolved, Nemine Contradicente, That if the above Act of 1704 had been in Force from the Restoration of the Government by the Crown to the Right Honourable the Lord Proprietary, to this Time; yet, the Sum of Three Pence Sterling, Part of the said Twelve Pence Sterling, agreeable to the Plain Construction of the abovementioned Act of 1704, and her late Majesty Queen Anne's Instructions to her Governor here when the said Act was in Force, ought to be applied towards the purchasing of Arms and Ammunition for the Defence of this Province.

Resolved, That the Hours of Sitting this Session, for Dispatch of Public Business, be from Nine of the Clock until One; and from Two of the Clock Afternoon until Five.

Ordered, That Col. Tilgman do acquaint the Reverend Mr. Clement Brooke, That he is desired by this House to Read Divine Service, at a Quarter before Nine in the Morning, and at Five of the Clock Afternoon, during this Session.

The House appointed Mr. John Goldsborough, Alexander Williamson, Esq; Mr. Carroll, Mr. Edward Dorsey, Mr. Key, and Mr. Murdock, a Committee of Elections and Privileges.

Mr. Murdock, Mr. John Goldsborough, Mr. Gassaway, Major Waggaman, Mr. Govane, Col. Cresap, and Major Hynson, a Committee of Accounts.

Mr. Murdock, Mr. John Goldsborough, Mr. Carroll, Mr. Edward Dorsey, Col. Tilghman, Mr. Lloyd, and Mr. Gassaway, a Committee of Grievances and Courts of Justice.

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Col. Cresap, Col. Scarborough, Capt. Dorsey, Capt. Deye, and Capt. Baker, a Committee to enquire into the State and Condition of the Arms and Ammunition, and Accounts relating thereto.

Mr. Dulany, Mr. Earle, Mr. Lloyd, Alexander Williamson, Esq; Mr. Worthington, Mr. Hanson, and Mr. Plater, a Committee to inspect the Accounts and Proceedings of the Commissioners or Trustees for Emitting Bills of Credit, established by Act of Assembly.

Col. Tilghman, Mr. Lloyd, Mr. Carroll, Mr. Murdock, Mr. Edward Dorsey, Mr. Wilson, and Mr. Govane, a Committee to Inspect into the several Public Offices, and Report to the House the State and Condition thereof.

On Motion, Ordered, That his Excellency's Speech be again Read; p. 10 which accordingly was.

Ordered, That an Address be prepared, to be presented to his Excellency on his Speech; and that Mr. Edward Dorsey, Col. Tilghman, Mr. Murdock, Mr. Lloyd, and Mr. Carroll, do prepare and bring in the same.

A Petition of Henry Woodward, complaining of an undue Election and Return, made by the Mayor and Aldermen of the City of Annapolis, of a Delegate for the said City, was preferred to this House; and on Reading thereof, Ordered, That Doctor George Steuart the Sitting Member, complained of in the said Petition, have a Copy thereof on his Application to the Clerk of this House.

Ordered, That an Hearing on the Petition of Henry Woodward be had at the Bar of this House on next Monday afternoon, being the 30th Instant.

Ordered, That Lists of the controverted Votes shall be mutually exchanged between Henry Woodward, the Petitioner, and Doctor George Steuart, on the Morrow, being the 25th Instant, by Twelve of the Clock with the particular Objections, which they intent to insist upon, set against the Name of each Person whose Vote they intend to dispute; and that such Lists shall be respectively confined to such Voters as were objected to at the Time of their giving their respective Votes.

Mr. Goldsborough, from the Committee of Accounts, acquaints Mr. Speaker, That that Committee had made Choice of Mr. Beale Nicholson for a Clerk, and desires the Approbation of the House. The House approves the Choice, and Ordered that he be Qualified in the usual Form.

Mr. Goldsborough, from the Committee of Aggrievances and Courts of Justice, acquaints Mr. Speaker, That that Committee had

L. H. J. made Choice of Mr. William Wilkins for a Clerk. The House approves the Choice, and Ordered that he be Qualified in the usual Form.
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On Motion, the House appointed Mr. Basil Dorsey, junior, as Clerk to attend the several Committees who may be appointed to draw and prepare Bills for the Consideration of the House. Ordered, That he be Qualified in the usual Form.

Doctor Steuart acquaints Mr. Speaker, That Mr. Beale Nicholson, Mr. William Wilkins, and Mr. Basil Dorsey, had taken the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and signed the Test, before him; and severally took the following Oath, viz.

p. 11 You Beale Nicholson, William Wilkins, and Basil Dorsey, do severally swear, That you will true Entries make of all such Matters and Things as shall be to you directed by any Committee of the Lower House of Assembly, for whom you shall act as Clerks; and that you will not divulge the Secrets of the said House of Assembly, or of any Committee thereof; but will in all Things, well and truly demean yourselves, according to the best of your Knowledge. So help you God.

Mr. Pollard Edmondson and Mr. Woolman Gibson, Two Delegates returned for Talbot County, and Mr. William Waters, senior, a Delegate returned for Somerset County, appeared in the House. Ordered, That Mr. Goldsborough and Mr. Wilson do go with those Gentlemen to the Upper House, to see them Qualified. They return and acquaint Mr. Speaker, That they saw them Qualified in the usual Manner.

The Gentlemen took their Seats in the House.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment, &c.
 The House adjourns till the Morrow Morning at 9 of the Clock.

Oct. 25

Wednesday, 25 October, 1758.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment.

The House adjourns till the Morrow Morning at 9 of the Clock.

Oct. 26

Thursday, 26 October, 1758.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

The following Message,

By the Lower House of Assembly, October 26, 1758.

L. H. J.
Liber No. 51
Oct. 26

May it please your Honours,

This House hath appointed Mr. Dulany, Mr. Earle, Mr. Lloyd, Alexander Williamson, Esq; Mr. Worthington, Mr. Hanson, and Mr. Plater, a Committee from this House, to Inspect the Accounts and Proceedings of the Commissioners or Trustees for Emitting Bills of Credit, established by Act of Assembly; and desire your Honours to appoint one or more of the Members of your House, to ^{p. 12} join in the said Committee.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House by Mr. Hanson and Mr. Plater.

Major Benjamin Handy and Mr. Benton Harris, (Two Delegates of Worcester County, returned to serve in this General Assembly) appeared in the House. Ordered, That Col. Scarborough and Mr. Furnell do go with those Gentlemen to the Upper House, to see them Qualified. They return and acquaint Mr. Speaker, That they saw them Qualified in the usual Manner.

The Gentlemen took their Seats in the House.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker, the following Message :

By the Upper House of Assembly, October 26, 1758.

Gentlemen,

This House hath appointed Richard Lee, Esq; to join the Members, named by your House, in a Committee to Inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office.

Signed per Order, J. Ross, Cl. Up. Ho.

Mr. Murdock brings in and delivers to Mr. Speaker, an Address to his Excellency; which was Read, Approved, and Ordered to be Ingrossed.

Mr. Edward Dorsey brings in and delivers to Mr. Speaker, the following Ingrossed Address :

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland:

The humble Address of the House of Delegates.

May it please your Excellency,

We, his Majesty's most dutiful and loyal Subjects, the Delegates of the Freemen of Maryland, in Assembly convened, return your Excellency our Thanks for your Speech at the Opening of this Session. We are most of us well acquainted with what passed between the several Branches of the Legislature at their late Sessions, and are convinced that the Lower House, by their Proceedings, gave ^{p. 13}

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Liber No. 51
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no Occasion for the odious Distinction that has been made between the Inhabitants of Maryland and those of the neighbouring Colonies ; and that his Majesty's Generals, when they shall have an Opportunity and Curiosity to peruse and consider them, will be induced to entertain a favourable Opinion of the Inhabitants of this Province.

As the inclinations of the People in general, are best known by the Conduct and Behaviour of their Representatives in Assembly, we must express our grateful Acknowledgments to your Excellency for the Assurance you have been pleased to give General Forbes of their good Inclinations to promote his Majesty's Service in the Expedition he was about to undertake ; and tho' unhappily the Houses of Assembly have heretofore differed in Opinion on the Mode of raising the necessary Supplies, we rejoice to find your Excellency now expressing Hopes, that the like Difference may not happen at this or any future Session.

We shall immediately take under our Consideration, the Matters recommended to us by your Excellency's Speech, and the General's Letter ; and shall give his Majesty's Service in general, and the Defence and Protection of this Province in particular, the first Place in our Determinations ; and we cannot but entertain the warmest Hopes, that our Resolutions thereupon will demonstrate, that notwithstanding any ill Opinion, Strangers to the real Principles of the People of this Province may have entertained, his Majesty has not in any of his Dominions, Subjects more loyal or more dutiful than are much the greatest Part of the People of Maryland ; whose constant Wishes and Endeavours to promote his Majesty's Service, have, on every Occasion, been manifested by the Public Actions, as well as Professions of those, to whom their Lives, Liberties and Properties, have been repeatedly entrusted.

Which was Read and Assented to, and Signed, per Order of the House, by the Honourable Speaker.

Ordered, That Mr. Carroll and Mr. Beall do acquaint his Excellency, That this House hath prepared an Address to be presented to him, and desires to know when and where he will please to receive it : They return and acquaint Mr. Speaker, That the Governor signified he would receive the Address at Four of the Clock Afternoon, in the Conference Chamber.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment.

Ordered, That Col. Tilghman, with Five more, do present the Address to his Excellency.

The House Adjourns till the Morrow Morning at 9 of the Clock.

Friday, 27 October, 1758.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

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Liber No. 51
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On Motion, Resolved, That this House will, on the Morrow Morning, at the Sitting of the House, take into Consideration the Subject Matter contained in his Excellency's Speech at the Opening of this Session, together with General Forbes's Letter to his Excellency.

Mr. Charles Goldsborough, a Delegate of Dorchester County, returned to serve in this General Assembly, appeared in the House.

Ordered, That Mr. Sulivane and Mr. Edmondson do go with that Gentleman to the Upper House, to see him Qualified. They return and acquaint Mr. Speaker, that they saw him Qualified in the usual Manner.

The Gentleman took his Seat in the House.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

Mr. John Goldsborough, from the Committee of Elections and Privileges, brings in and delivers to Mr. Speaker, the following Report, viz.

By the Committee of Elections and Privileges, October 27, 1758.

Your Committee having inspected the several Writs for Electing Deputies, Delegates and Citizens to serve in this General Assembly, do find,

That Messieurs Edmund Key, Henry Greenfield Sothoron, George Plater, and Thomas Greenfield, Delegates of Saint Mary's County, are duly Returned.

That Messieurs Arthur Lee, John Hanson, John Trueman Stoddert, and George Dent, Delegates of Charles County, are duly Returned.

That Messieurs Benjamin Mackall, junior, James John Mackall, William Fitzhugh, and Edward Gantt, Delegates of Calvert County, are duly Returned.

That Messieurs William Murdock, George Fraser, Francis King, and Josias Beall, junior, Delegates of Prince-George's County, are duly Returned.

That Messieurs Brice Thomas Beale Worthington, Philip Hammond, Charles Carroll, and John Gassaway, Delegates of Anne-Arundel County, are duly Returned.

That Messieurs Thomas Cockey Deye, William Govane, John Hammond Dorsey, and Samuel Owings, Delegates of Baltimore County, are duly Returned.

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Liber No. 51
Oct. 27 That Messieurs Benton Harris, John Scarborough, Benjamin Handy, and Zadock Purnell, Delegates of Worcester County, are duly Returned.

That Messieurs Henry Waggaman, Levin Gale, Samuel Wilson, and William Waters, Delegates of Somerset County, are duly Returned.

That Messieurs Henry Hooper, Charles Goldsborough, Daniel Sulivane, and Henry Travers, Delegates of Dorchester County, are duly Returned.

That Messieurs John Goldsborough, Pollard Edmondson, Samuel Bowman, and Woolman Gibson, Delegates of Talbot County, are duly Returned.

That Messieurs William Hopper, Edward Tilghman, Robert Lloyd, and Thomas Harris, Delegates of Queen-Anne's County, are duly Returned.

That Messieurs Alexander Williamson, Richard Gresham, John Tilden, and William Hynson, Delegates of Kent County, are duly Returned.

That Messieurs Michael Earle, Henry Baker, Henry Ward, and Francis Mauldin, Delegates of Cæcil County, are duly Returned. And,

That Messieurs Walter Dulany, and George Steuart, Citizens of the City of Annapolis, are duly Returned.

Your Committee beg Leave to observe, That they find in the Writs of Election, by the Act of Assembly appointing the Form thereof, the following Sentence: "That the said Deputies and Delegates, for themselves and the County aforesaid, may have severally full and sufficient Power to do and consent to those Things which then and thereto." &c. And that the Writs of Election directed to the Sheriffs of Charles and Cæcil Counties, do vary from the Form of the Writ directed by the said Act of Assembly in this, that the Words do and, Part of the Sentence aforesaid directed by the Act, are omitted in the said Writs of Election.

Your Committee beg Leave further to observe, That the Writ of Election directed to the Sheriff of Frederick County, is returnable the Third Day of October next, after the Test thereof, and that in Virtue of the said Writ, Henry Wright Crabb, Joseph Chapline, Edward Dorsey, and Thomas Cresap, are Returned Elected; but that by the Indentures returned by the Sheriff, in Consequence of the Execution of the said Writ, the said Henry Wright Crabb, Joseph Chapline, Edward Dorsey, and Thomas Cresap, appear to be Elected, Chosen, Nominated and Appointed, Delegates and Representatives to serve at the next General Assembly to be held at the City of Annapolis, on the Third Day of October next, according to his Lordship the Right Honourable the Lord Proprietary of this

p. 16

Province, his Writ of Election, which Third Day of October, in the said Return mentioned, is Twelve Months after the Day on which the Writ of Election is returnable; which your Committee conceive was occasioned by a Mistake of the Sheriff.

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Oct. 27

All which is humbly submitted to the Consideration of your Honourable House.

Signed per Order, Basil Dorsey, junr. Clerk of said Committee.

Which was Read, and the House concurs therewith.

On Motion, Ordered, That the said Report be again Read, also the Writ of Election for Frederick County, and the Indentures thereto affixed, which was Read accordingly.

It appearing to this House on Reading the Indentures, signed between the Sheriff and the Electors of Frederick County, at the late Election held for the said County, that they were dated the Third Day of October Instant, whereas they ought to have been dated the 27th Day of September last:

Thereupon Ordered, That the Sheriff of Frederick County do attend at the Bar of this House, and there Erase out of the said Indentures, the Words and Figure 3d Day of October, and insert therein, instead thereof, these Words, and Figures, viz. 27th Day of September, which the said Sheriff accordingly did.

Upon further considering the Report from the Committee of Elections and Privileges, Resolved, That the Writs for Electing Deputies and Delegates to serve in Assembly, for the several Counties within this Province, ought to be made out strictly agreeable (*Mutatis Mutandis*) to the Form prescribed by the Act directing the Manner of electing and summoning Delegates, &c.

Resolved, That it is the Opinion of this House, That the Variance between the Form prescribed by the said Act and the Writs of Election for Charles and Cæcil Counties, mentioned in the said Report, has proceeded from the Negligence of the Clerk, who made out the same.

Resolved, That the said Variance ought not to Invalidate the Election and Return of Deputies and Delegates for the said Counties of Charles and Cæcil.

The House adjourns till the Morrow Morning at 9 of the Clock.

Saturday, 28 October, 1758.

Oct. 28

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

p. 17

His Excellency the Governor communicated to Mr. Speaker, the following Message, viz.

L. H. J. Gentlemen of the Lower House of Assembly,
 Liber No. 51 I thank you for your Promise to take General Forbes's Letter into
 Oct. 28 Consideration, agreeable to my Desire; and shall be very glad if your
 Resolutions thereupon convince him, that the Inhabitants of Mary-
 land, or if, you please much the greatest Part of them, whose Inclina-
 tions will, I hope, for their own Sakes, be judged of by your Conduct
 and Behaviour during this Session, and not by the Proceedings of
 the late Lower House, are really such as I thought it my Duty to
 represent them when I endeavoured to remove the Prejudices,
 which his Excellency and many others of his Majesty's Officers,
 seemed to have conceived against them.

Hor.^o Sharpe.

The Order of the Day being Read; the House took into Con-
 sideration the Subject-Matter contained in his Excellency the
 Governor's Speech, together with General Forbes's Letter to the
 Governor: And

Resolved, That this House will, out of the first Supplies that shall
 be granted for his Majesty's Service, appropriate a Sum Sufficient to
 Reimburse General Forbes what he may have advanced for the Pay,
 Victualling, and Cloathing, of the Troops formerly in the Pay of
 this Province, from the time the Money granted for the Pay, Sub-
 sistence, and Cloathing of the said Men, was expended, till the Time
 the said Troops were taken into his Majesty's Service, so far as the
 same shall appear to this House to be just and reasonable.

And it is further Resolved, That if it shall appear that General
 Forbes has not paid all the Money that may be due for the Pay,
 Victualling, and Cloathing of the said Men, from the Time the
 Money, granted for that Purpose, was expended, till the Time they
 were taken into his Majesty's Service, that then this House will make
 a Provision for what further Sum may be due for the Pay, Victuall-
 ing, and Cloathing of the said Men.

Resolved, That this House will, out of the first Supplies which
 shall be granted for his Majesty's Service, appropriate a Sum suffi-
 cient to Reimburse General Forbes what he may have advanced, or
 shall advance, for the Pay and Cloathing of the Troops formerly
 in the Pay of this Province, and by him taken into his Majesty's
 Service, from the Time those Troops entered into the said Service,
 to the End of the present Campaign.

On Motion, the Question was put, That the following Question
 be now put, viz. That the Money to be raised for the current Service
 of the Year, be raised by an equal Assessment on all Estates, Real
 and Personal and Lucrative Offices and Employments. Resolved in
 the Affirmative.

L. H. J.
Liber No. 51
Oct. 28

On resolution of the previous Question;

The Question was put, That the Money to be raised for the current Service of the Year, be raised by an equal Assessment on all Estates, Real and Personal, and Lucrative Offices and Employments. Resolved in the Affirmative.

For the Affirmative,

Williamson,	Sulivane,	Murdock,
Hynson,	Cockey Deye,	King,
Gassaway,	Govane,	Beall,
Carroll,	J. H. Dorsey,	Lloyd,
Worthington,	Owings,	E. Tilghman,
Gantt,	Earle,	T. Harris,
Hanson,	Baker,	Chapline,
Dent,	Ward,	E. Dorsey,
Stoddert,	Mauldin,	Cresap.

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For the Negative,

Plater,	J. Goldsborough,	Hopper,
Key,	Edmondson,	Scarborough,
Sothonor,	Bowman,	Handy,
Greenfield,	Gibson,	B. Harris,
Waggaman,	C. Goldsborough,	Purnell.
Wilson,	Dulany,	
Waters,	Steuart,	

19

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker, the Petition of Thomas Bacon, Clerk Rector of Saint Peter's Parish in Talbot County; which was Indorsed, "By the Upper House of Assembly, Read and Referred to the Consideration of the Lower House of Assembly;" which Petition was here Read, and Ordered to lie on the Table.

Mr. Cockey Deye hath Leave of Absence till next Tuesday.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment, &c. p. 19

Mr. Gantt hath Leave of Absence till next Monday Morning.

On Motion, Ordered, That the Mayor, Recorder and Aldermen of the City of Annapolis, do attend at the Bar of this House on Monday next, being the 30th Instant, at the Time of the Sitting of this House, (Afternoon) and bring with them the original Poll taken at the late Election for Delegates of the said City.

On Motion, Ordered, That Mr. J. Goldsborough, Mr. Key, and Mr. C. Goldsborough, do make an Enquiry into what Laws will expire with the Close of this Session; and make Report thereof to the House.

The House adjourns till Monday Morning at 9 of the Clock.

L. H. J.
Liber No. 51
Oct. 30

Monday, 30 October, 1758.

The House met according to Adjournment: The Members were called, and all appeared as on Saturday, except Mr. Deye and Capt. Gassaway. The Proceedings were Read.

Philip Hammond, Esq; a Delegate of Anne-Arundel County, and Mr. James John Mackall, a Delegate of Calvert County, Returned to serve in this General Assembly, appeared in the House.

Ordered, That Mr. Carroll, and Mr. Worthington, do go with those Gentlemen to the Upper House, to see them Qualified: They return and acquaint Mr. Speaker, that they saw them Qualified in the usual Manner.

The Gentlemen took their Seats in the House.

On Motion, Ordered, That the Clerks and Registers of the several Public Offices make out and deliver forthwith, to the Committee appointed to inspect those Offices, fair and compleat Lists of all the Record Books belonging to their Offices respectively, in proper Order of Time, noting against each Book the general Contents thereof.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

The Order of the Day being Read; Resolved, That an Hearing on the Petition of Mr. Henry Woodward be referred till the Morrow Morning at Nine of the Clock, and that the same be then heard at the Bar of this House.

Col. William Fitzhugh, a Delegate of Calvert County, Returned to serve in this General Assembly, appeared in the House.

Ordered, That Mr. James John Mackall, and Mr. Gantt, do go p. 20 with him to the Upper House, to see him Qualified: They return and acquaint Mr. Speaker, that they saw him Qualified in the usual Manner.

The Gentleman took his Seat in the House.

The House adjourns till the Morrow Morning at 9 of the Clock.

Oct. 31

Tuesday, 31 October, 1758.

The House met according to Adjournment: The members were called, and all appeared as Yesterday. The Proceedings were Read.

Mr. Thomas Cockey Deye appeared in the House.

Mr. John Goldsborough brings in, and delivers to Mr. Speaker, the following Report, viz.

October 31, 1758.

By the Committee appointed by the Honourable the Lower House of Assembly to enquire what Laws will expire this Session, do find,

that the following Laws will expire at the End of this Session, if not continued, viz.

An Act, entituled, An Act for ascertaining the Allowance of Petit Jurors attending the Provincial Court, to limit Costs with Respect to Witnesses, and for settling their Allowances as to itinerant Charges, made at a Session of Assembly begun and held at the City of Annapolis the 24th Day of May 1749.

An Act, entituled, An Act for the Destroying Squirrels and Crows in the several Counties therein mentioned, made at a Session of Assembly begun and held at the City of Annapolis the third Day of June, 1752.

An Act, entituled, An Act for the Relief of such Persons as cannot find Surety for their Appearance to testify as a Witness against any Person arrested, accused, or prosecuted, for any Criminal Matter, made at a Session of Assembly begun and held at the City of Annapolis the third Day of June, 1752.

An Act, entituled, An Act to prevent disabled and superannuated Slaves being set free, or the Manumission of Slavery by any last Will or Testament, made at a Session of Assembly begun and held at the City of Annapolis the third Day of June, 1752.

An Act, entituled, An Act for the more effectual destroying of Squirrels and Crows in the Counties of Kent, Queen-Anne's and Talbot; and for destroying Red Foxes in the said Counties, made at a Session of Assembly begun and held at the City of Annapolis the 24th Day of May, 1749. p. 21

An Act, entituled, An Act for Repairing the Public Roads in this Province, made at a Session of Assembly, begun and held at the City of Annapolis the second Day of October, 1753, also a Supplementary Act thereto, made at a Session of Assembly begun and held at the City of Annapolis the third Day of February, 1756.

And your Committee take Leave to inform the Honourable House, That an Act, entituled, An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green of the City of Annapolis, Printer, made at a Session of Assembly begun and held at the City of Annapolis the 23d Day of February, 1756, will expire the 20th Day of December next. And,

That the Act, For amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, made at a Session of Assembly begun and held at the City of Annapolis the second Day of October, 1753, will expire the first Day of December next.

All which is humbly submitted to the Consideration of the Honourable House.

Signed per Order, William Wilkins, Clerk.

L. H. J.
Liber No. 51
Oct. 31

L. H. J.
Liber No. 51
Oct. 31

Which was Read, and Ordered to lie on the Table.
On Motion, Leave given, to bring in a Bill for issuing Writs of Replevin out of the County Courts.

Ordered, That Col. Tilghman, Mr. Edward Dorsey, Mr. Charles Goldsborongh, Mr. Carroll, and Mr. Key do prepare and bring in the same.

On Motion, Leave given, to bring in a Bill To enlarge the Jurisdiction of the County Courts, in Chancery Matters.

Ordered, That Col. Tilghman, Mr. Edward Dorsey, Mr. Wilson, Mr. Charles Goldsborough, Mr. Carroll, and Mr. Key, do prepare and bring in the same.

On Motion, That Mr. Henry Woodward have Leave to be heard by his Council on his Petition preferred to this House, against an undue Election of a Delegate for the City of Annapolis, Ordered, That he be heard by his Council, at the Bar of this House.

Ordered, That Dr. George Steuart, the Sitting Member complained against by the Petition of Henry Woodward, be heard by his Council at the Bar, against the Allegations and Facts contained in the said Petition.

p. 22 Mr. John Tilden, and Mr. Richard Gresham, two Delegates of Kent County, returned to serve in this General Assembly, appeared in the House.

Ordered, That Alexander Williamson, Esq; and Major Hynson do go with those Gentlemen to the Upper House to see them Qualified. They return and acquaint Mr. Speaker, that they saw them Qualified in the usual Manner.

The Gentlemen took their Seats in the House.

The Order of the Day being Read; the House proceeded to an Hearing on the Petition of Henry Woodward, and after Examination of several Witnesses at the Bar, Referred the same for a further Hearing Afternoon.

Ordered, That a further Hearing on the Petition of Henry Woodward, be had at the Bar of this House at Two of the Clock Afternoon.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment, &c.

The Order of the Day being Read; the House proceeded to a further Hearing on the Petition of Henry Woodward, and after Examination of several Witnesses at the Bar, Referred the same for a further Hearing on the Morrow Morning at Nine of the Clock.

Ordered, That a further Hearing on the Petition of Henry Woodward, be had at the Bar of this House on the Morrow Morning at Nine of the Clock.

The House adjourns till the Morrow Morning at 9 of the Clock.

Wednesday, 1 November, 1758.

L. H. J.
Liber No. 51
Nov. 1

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

The Order of the Day being Read; the House proceeded to a further Hearing on the Petition of Henry Woodward, and after Examination of several Witnesses at the Bar, Referred the same for a further Hearing Afternoon.

Ordered, That a further Hearing on the Petition of Henry Woodward, be had at the Bar of this House at Two of the Clock Afternoon.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c. p. 23

The Order of the Day being Read; the House proceeded to a further Hearing on the Petition of Henry Woodward.

On Motion of a Member, the Question was put, That Mr. Samuel Galloway, a Witness at the Bar, be permitted to declare the Communication which he had with Mr. Samuel Chew. Resolved in the Affirmative.

For the Affirmative,

Plater,	Wilson,	Murdock,
Key,	Waters,	Dulany,
Sothonor,	J. Goldsborough,	Scarborough,
Gresham,	Edmondson,	Handy,
Gantt,	Bowman,	B. Harris,
Fitzhugh,	Gibson,	Purnell,
Hanson,	C. Goldsborough,	Chapline.
Stoddert,	Govane,	
Waggaman,	Earle,	

25

For the Negative,

Greenfield,	Dent,	King,
Williamson,	Sulivane,	Beall,
Hynson,	Cockey Deye,	Lloyd,
Tilden,	J. H. Dorsey,	E. Tilghman,
Hammond,	Owings,	Hopper,
Carroll,	Baker,	T. Harris,
Worthington,	Ward,	E. Dorsey,
J. Mackall,	Mauldin,	Cresap.

24

The House having Examined several Witnesses at the Bar, on the said Petition of Henry Woodward, Referred the same for a further Hearing on the Morrow Morning at Nine of the Clock.

Ordered, That a further Hearing on the Petition of Henry Woodward, be had at the Bar of this House on the Morrow Morning at Nine of the Clock.

The House adjourns till the Morrow Morning at 9 of the Clock.

L. H. J.
Liber No. 51
Nov. 2

Thursday, 2 November, 1758.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings of Yesterday, were Read.

Mr. Gassaway appeared in the House.

The Order of the Day being Read; the House proceeded to a further Hearing on the Petition of Henry Woodward.

On Hearing the Arguments of the Council at the Bar, and after their withdrawing according to Order, and on Motion of a Member, the Question was put, Whether the Aldermen of the City of Annapolis have a Right, by the Charter of the said City, to Vote in the Election of Delegates for the said City, or Not? Resolved in the Negative.

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For the Affirmative,

Plater,	J. Goldsborough,	Murdock,
Hynson,	Edmondson,	Dulany,
Gresham,	Bowman,	Hopper,
Tilden,	Gibson,	B. Harris,
Stoddert,	Sulivane,	Purnell,
Waggaman,	C. Goldsborough,	Chapline.
Wilson,	Govane,	
Waters,	Ward,	

22

For the Negative,

Key,	Gantt,	Mauldin,
Sothonor,	Hanson,	King,
Greenfield,	Dent,	Beall,
Williamson,	Cockey Deye,	Lloyd,
Hammond,	J. H. Dorsey,	E. Tilghman,
Carroll,	Owings,	E. Dorsey,
Worthington,	Earle,	Cresap,
J. J. Mackall,	Baker,	T. Harris.

24

The House Referred the further Hearing of the Petition of Henry Woodward till the Afternoon.

Ordered, That the Petition of Henry Woodward be heard at the Bar of this House at Two of the Clock Afternoon.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

The Order of the Day being Read; the House proceeded to a further Hearing on the Petition of Henry Woodward, and Referred the same for a further Hearing on the Morrow Morning.

Ordered, That the Petition of Henry Woodward be further heard at the Bar of this House on the Morrow Morning at Nine of the Clock.

The House adjourns till the Morrow Morning at 9 of the Clock.

Friday, 3 November, 1758.

L. H. J.
Liber No. 51
Nov. 3

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Mr. King hath Leave of Absence till Monday.

The Order of the Day being Read; the House proceeded to a further Hearing on the Petition of Henry Woodward.

Upon Hearing the Arguments of the Council at the Bar, and after their withdrawing according to Order, and on Motion of a Member, the Question was put, Whether George Newman has (by his residing Two Months only in the City of Annapolis, before the Election, and contracting for his Board for a Year, and having an Estate of £. 20 Sterling) a Right by the Charter of the said City, to Vote in the Election of Delegates for the said City, or Not? Resolved in the Affirmative.

For the Affirmative,

p. 25

Key,	Dent,	Beall,
Greenfield,	Edmondson,	Dulany,
Tilden,	Bowman,	Lloyd,
Hammond,	Cockey Deye,	King,
Gassaway,	J. H. Dorsey,	E. Tilghman,
Carroll,	Baker,	Hopper,
Worthington,	Ward,	Chapline,
J. J. Mackall,	Mauldin,	E. Dorsey,
Hanson,	Murdock,	Cresap.

27

For the Negative,

Sothonor,	Wilson,	T. Harris,
Williamson,	Waters,	Scarborough,
Hynson,	J. Goldsborough,	Handy,
Gresham,	Gibson,	Plater,
Gant,	Sulivane,	B. Harris,
Fitzhugh,	C. Goldsborough,	Purnell.
Stoddert,	Govane,	
Waggaman,	Owings,	

22

The House Referred the Petition of Henry Woodward for a further Hearing in the Afternoon.

Ordered, That an Hearing on the Petition of Henry Woodward be had at the Bar of this House at Two of the Clock Afternoon.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

The Order of the Day being Read; the House proceeded to a further Hearing on the Petition of Henry Woodward, and Referred the same for a further Hearing on the Morrow Morning.

L. H. J. Ordered, That a further Hearing on the Petition of Henry
 Liber No. 51 Woodward be had at the Bar of this House on the Morrow Morning
 Nov. 3 at Nine of the Clock.

The House adjourns till the Morrow Morning at 9 of the Clock.

Nov. 4

Saturday, 4 November, 1758.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Mr. Thomas Harris, Col. Tilghman, Col. Hopper, Mr. Govane, Mr. Owings, Mr. John Hammond Dorsey, and Mr. Charles Goldsborough, have Leave of Absence.

The Order of the Day being Read; the House proceeded to a further Hearing on the Petition of Henry Woodward; and on Motion of the Council at the Bar for the Petitioner, That he be admitted to prove by Testimony, That a Person or Persons, who by their own Oath or Oaths only, taken and allowed at the late Election for the City of Annapolis, before the Mayor and Aldermen, p. 26 That he or they had a visible Estate of £. 20 Sterling, and on such Proof had their Vote or Votes allowed at said Election, yet, in Reality, had not an Estate of such Value;

Resolved Unanimously, That the Petitioner, by his Council, be admitted to produce such Proof, by Oral Testimony, at the Bar of this House.

On Motion, the Question was put, That the following Question, (to wit) Whether the House will reassume the Considering the Determination of this House, That the Aldermen of this City have not a Right to Vote, by the Charter of the said City, in the Election of Delegates for the said City, be now put? Resolved in the Negative.

For the Affirmative,

Hynson,	Bowman,	Hopper,
Gresham,	Gibson,	Scarborough,
Fitzhugh,	Sulivane,	Handy,
Waggaman,	C. Goldsborough,	B. Harris,
Wilson,	Govane,	Purnell,
Waters,	Murdock,	Chapline.
J. Goldsborough,	Dulany,	

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For the Negative,

Plater,	J. J. Mackall,	Baker,
Key,	Gantt,	Ward,
Sothonor,	Hanson,	Mauldin,
Greenfield,	Dent,	Beall,
Williamson,	Stoddert,	Lloyd,

Tilden,	Edmondson,	E. Tilghman,	L. H. J.
Hammond,	Cockey Deye,	T. Harris,	Liber No. 51
Gassaway,	J. H. Dorsey,	E. Dorsey,	Nov. 4
Carroll,	Owings,	Cresap.	
Worthington,	Earle,		29

The Petition of Henry Woodward was Referred for a further Hearing Afternoon.

Ordered, That a further Hearing on the Petition of Henry Woodward be heard at the Bar of this House at Two of the Clock Afternoon.

The House adjourns till two of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

The Order of the Day being Read; the House proceeded to a further Hearing on the Petition of Henry Woodward, and to the Examination of Witnesses at the Bar.

On Motion of the Council, For the Sitting Member to be admitted to take the Deposition of Elizabeth M'Leod, relative to the Matter in Controversy on the said Petition, she being incapable by Sickness to attend at the Bar of this House, p. 27

Ordered, That the Deposition of Elizabeth M'Leod be taken, and when taken, be admitted to be Read at the Bar of this House as Testimony, in Relation to the Matter in Controversy, on the said Petition, upon the Council for the Sitting Member, or the Sitting Member, his giving legal Notice to the Petitioner, or his Council, to be present when such Deposition be taken.

Col. Robert Jenckins Henry, and Daniel Dulany, Esq; from the Upper House, acquaint Mr. Speaker, That the Governor requires the Attendance of the several Members of the Lower House immediately in the Upper House.

Mr. Speaker left the Chair, and with the Members of the Lower House, went to the Upper House, where his Excellency made the following Speech, viz.

Gentlemen of the Upper and Lower Houses of Assembly,

I Do, with the Advice of his Lordship's Council of State, Prorogue this Assembly to Tuesday next; and you are to take Notice, you are Prorogued to that Day accordingly.

So endeth this Convention in Assembly, this Fourth Day of November, in the Year of our Lord, One Thousand Seven Hundred and Fifty Eight.

Test. M. Macnemara, Cl. Lo. Ho.

PROCEEDINGS AND ACTS
OF THE
GENERAL ASSEMBLY OF MARYLAND

At a Session Held at Annapolis, November 22—December 23, 1758

*Being the Second Session of the Assembly Elected in
September, 1758*

FREDERICK CALVERT, LORD BALTIMORE,

Lord Proprietary.

HORATIO SHARPE,

Governor.

PROCEEDINGS
OF THE
UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis
on Wednesday the 22.^d day of November in the eighth year of his
Lordships Dominion Annoq Domini 1758

U. H. J.
Liber No. 35
1758
Nov. 22
p. 371

Present

His Excellency Horatio Sharpe Esq; Governor.

The Honble } Benjamin Tasker Esq.^r } Philip Thomas Esq;
 } Col.^o Charles Hammond } Benedict Calvert Esq;

Mess.^{rs} J Goldsborough and Carroll from the Lower House acquaint his Excellency that there are a sufficient Number of members met to make a House, and wait his Excellencys Commands

Col.^o Hammond and Philip Thomas Esq are sent to acquaint the Lower House, that his Excellency requires their attendance in the upper House immediately

The Lower House attend and his Excellency is pleased to make the following Speech

Gentlemen of the Upper and Lower Houses of Assembly

Since I met you the twenty third of Last Month I have received a Letter from General Forbes wherein he is pleased to Signify to me what measures he thinks ought to be Taken for the Security of this and the two Neighbouring Colonies, dureing the approaching winter and how far he expects the Inhabitants of this Province in particular will Contribute towards carrying them into execution: That you may be the better able to Judge of the expediency of those Measures, I shall Lay the Generals Letter before you, not doubting but your Determination and proceedings thereupon will be agreeable to his Excellencys Wishes

Ray's Town Camp Octo.^r 22:^d 1758

Sir.

The heavy rains that have fallen of Late had rendered the roads almost impassable for Carriages, these few days past of dry Weather has given things a more Favourable aspect and every thing is in motion the Last Division being to March from hence tomorrow

My State of health Still Continues precarious but not so bad as to occasion any Stop to our operations which must now Come to a Speedy Conclution on account of the Advanced Season of the year

U. H. J.
Liber No. 35
Nov. 22
p. 372

Whatever the Fate of the army may be it is impossible to foresee, but whether we are successfull or not, it is necessary to Leave as Large and Extensive a Barrier as Possible to cover the Frontiers of Virginia, Maryland, and Pensylvania, the Number of the Kings Troops that I have under my Command does not exceed twelve Hundred men the Greatest Part of which I must send to the Inhabited part of the Country to Recruit and fit them selves out for the ensuing Campaign for were I to leave the whole dureing the Winter in the uninhabited parts of the Country these corps would not be in a Condition to March on Service early in the Spring

I shall Lay before you the Posts that are Necessary to be kept up which are now in Possession of us Leaving it to you and the Assembly of your Province to Judge of their Importance to them, and to know how far they will Contribute in men and expence in Supporting the Necessary Garrisons and makeing the Soldiers Life comfortable without the Latter no real Service can be expected from them.

Whatever the fate of this Army may be the Posts of Loyal Hannon, Cumberland, Rays Town, Juniata, Littleton, Loudoun, Frederick, Shippensburg and Carlisle ought to be Garrisoned, besides Winchester, the Forts on the South Branch of Potomack, and the Frontiers of Augusta, I have wrote to the Governors of the two other Provinces to know how far their Assembly' will go in keeping up these Frontier Garrisons, I hope your new assembly will not only chearfully Contribute to the expence of the Garrisons but grant money to Pay off the Large arrears which is due to their Troops who must have Starved with cold if I had not Advanced Money for Providing them with Necessaries. I expect by this Time they have granted a Sum adequate to the Sum I advanced out of the Kings Money (without any orders) for keeping up the Troops of the Province for its Security it will easily occur to you the things that are Necessary for makeing the Soldiers Life comfortable in the Severe Climate dureing the Winter the most Necessary are a second Blanket in lieu of a Bed, Flannel Jacket, a new pair of Breeches, two pair of Stockings, and a pair of Shoes

I should be glad to know how far your Assembly will go in putting it my Power to Maintain the ground that is gained, if they do Nothing for the safety of the Province I am certain it is not in my Power to defend them dureing the Winter with the Strength that I shall have left : and which I must expect will diminish Dailey

To Cover your Frontiers will in my opinion require five Hundred men which is a Small Proportion in Comparison to the Other Provinces

I must intreat you to Return me an answer to this Letter as soon as Possible as it is a Matter of the greatest Consequence to the Colony. I am

U. H. J.
Liber No. 35
Nov. 22

Sir with great regard
your most Obed.^t & most Humble Serv.^t
Jo: Forbes

Mess.^{rs} Goldsborough and Sullyvane from the Lower House p. 373 attend with M^r Traverse a Member Elected for Dorchester County in order to see him quallified who Takes the Oaths to the Governm.^t Appointed to be Taken by Act of Assembly repeats and Subscribes the abjuration and Test and then withdraws

Adjourned till to Morrow Morning at 10 of the Clock

Thursday Morning 23^d November 1758

Nov. 23

This House met again According to Adjournment

Present as yesterday

Benjamin Tasker Esq attended by the members of this House presents to his Excellency their Address which follows in these words

To his Excellency Horatio Sharpe Esq.^t Governor and Commander in Chief in and over the Province of Maryland

The Humble Address of the Upper House of Assembly

May it Please your Excellency

We Return you our Sincere thanks for your Speech to us at this Time and laying the Letter you received from General Forbes before us The Security of this and the two neighbouring Colonies dureing the approaching Winter being of great Importance we Shall maturely Consider, and have a Suitable regard to the Measures proposed by the General for that end, and use our best endeavours that our Proceedings and Determinations may be agreeable to his Wishes and meet with your Excellencys Approbation

B. Tasker President

Adjourned till three of the Clock in the afternoon

Eodem Die post Meridiem

This House met again According to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning 10 of the Clock

U. H. J.
Liber No. 35
Nov. 24

Friday Morning 24 November 1758

This House met again According to Adjournment
Present as yesterday except Philip Thomas Esq.^r
Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again According to Adjournment

Present as in the Morning

A Bill from the Lower House by Mess.^{rs} Murdock and Williamson,
Entituled an Act continuing an Act Entituled an Act for amending
the Staple of Tobacco for preventing Frauds in his Majestys Cus-
toms and for the Limetation of Officers fees

p. 374

Also one other Act Entituled a Supplementary Act to the Act
Entituled an Act for amending the Staple of Tobacco for preventing
Frauds in his Majestys Customs and for the Limitation of Officers
fees also one other Act Entituled an Additional Supplementary Act
to the Act Entituled an Act for amending the Staple of Tobacco for
preventing Frauds in his Majestys Customs, and for the Limitation
of Officers fees. And Also one other Act Entituled an Act for the
relief of Inspectors and owners of Tobacco and others who have
Suffered by means of Extraordinary Rains, and high Tides and
Other defects in the Inspection Law thus endorsed

By the Lower House of Assembly 24th November 1758

Read the first and Second Time by an especial order and Will Pass

Signed p order M. Macnemara Cl Lo Ho

Mess.^{rs} Chapline and King from the Lower House attend with
M^r Henry Wright Crabb a member Elected for Frederick County
in order to see him qualified who takes the oaths to the Government
Appointed to be Taken by Act of Assembly repeated and subscribed
the Abjuration and Test and then withdraws

His Excellency is Pleased to Communicate to this House his
answer to their Address which follows in these words

Gentlemen of the upper House of Assembly

I thank you for your obliging Address, and doubt not but your
Proceedings at this Time with regard to the Matters mentioned in
the Generals Letter will manifest your earnest Desire to Comply as
far as it is in your Power with his reasonable Requests

Hor.^o Sharpe

Adjourned till to Morrow Morning 10: of the Clock

Nov. 25

Saturday Morning 25th November 1758

This House met again According to Adjournment

Present as yesterday
Adjourned till Monday Morning at 10 of the Clock

U. H. J.
Liber No. 35
Nov. 25

Monday Morning 27. Nov.^r 1758

Nov. 27

This House met again According to Adjournment

Present

The Honble { Benjamin Tasker Esq^r
Col.^o Hammond } Benedict Calvert Esq.^r

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

p. 375

This House met again according to Adjournment

Present as in the Morning

Col.^o Fitzhugh and M^r Gantt attend with M^r Benjamin Mackall a member Elected for Calvert County in order to see him Quallified, who Takes the Oaths to the Government appointed to be Taken by Act of Assembly, repeats and subscribes the abjuration and Test and then withdraws

Adjourned till to Morrow Morning at 10. of the Clock

Tuesday Morning 28th November 1758

Nov. 28

This House met again According to Adjournment

Present as yesterday

A Bill from the Lower House by Mess.^{rs} Carroll and Key entituled an Act Continuing an Act, entituled an Act for the relief of Such persons as cannot find surety for their appearance to Testify as a Witness against any Person arrested accused or prosecuted for any Criminal Matter thus endorsed

By the Lower House of Assembly 24th Novemb.^r 1758

Read the first Time and ordered to lye on the Table

Signed p order M. Macnemara Cl Lo Ho.

Read the second Time and will Pass

Signed p order M Macnemara Cl. Lo. Ho

Read the first Time in this House and ordered to Lye on the Table

A Message from the Lower House by Mess.^{rs} Lloyd and Earle

By the Lower House of Assembly 27th Novemb.^r 1758

U. H. J. May it Please your Honours
 Liber No. 35
 Nov. 28

This House hath appointed M^r Dulany M^r Earle M^r Lloyd Alexander Williamson Esq.^r M^r Worthington M^r Hanson and M^r Plater a Committee from this House to inspect the Accounts and proceedings of the Commissioners or Trustees for Emitting Bills of Credit established by Act of Assembly and desire your Honours to appoint one or more of the members of your House to joint in the said Committee

Signed p Order M. Macnemara Cl. Lo. Ho

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This House met again According to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning at 10 of the Clock

Nov. 29

Wednesday Morning 29.th Nov.^r 1758

This House met again according to Adjournment

p. 376 Present as Yesterday with Col.^o Lloyd Col.^o Tasker and Col^o Goldsborough

Read the Act Entituled an Act Continuing an Act, Entituled an Act for Amending the Staple of Tobacco for preventing Frauds in his Majestys Customs, and for the Limetation of Officers fees Also one other Act Entituled a Supplementary Act to the Act, Entituled an Act for amending the Staple of Tobacco for preventing Frauds in his Majestys Customs and for the Limetation of Officers fees Also one other Act Entituled an Act Supplementary Act to the Act Entituled an Act for amending the Staple of Tobacco for preventing Frauds in his Majestys Customs for the Limetation of Officers fees. also one other Act Entituled an Act for the relief of Inspectors and owners of Tobacco and others who have suffered by means of Extraordinary Rains and High Tides and other defects in the Inspection Law. and ordered to Endorsed

Read the first and second Time by especial order. Passed and sent to the Lower House by Col.^o Goldsborough.

Read the Petition of Norman Bruce for John Glassford Esq.^r and Company and others praying an Allowance may be made them in the Publick Levy or otherwise for a quantity of Tobacco Burnt in august Last at Lewellens Warehouse in S^t Marys County

Read the Petition of the Reverend M^r Archibald Spencer and others praying an Allowance may be made them in the Publick

Levy or otherwise for a quantity of Tobacco burnt in October Last at Howards Point Warehouse in Ann Arundell County Referred to the Consideration of the Lower House and sent by Benedict Calvert Esq.^r

U. H. J.
Liber No. 35
Nov. 29

Read the Petition of Thomas Bacon Clerk Rector of Saint Peters Parish in Talbot County praying that some encouragement may be given him for the pains & Trouble he has been at in collecting Revising and abridging the Laws of this Province and referred and Sent by Col^o Tasker

Read the Second time the Bill Entituled an Act Continuing an Act, entituled an Act for the relief of Such Persons as cannot find surety for their Appearance to Testify as a Witness against any Person arrested, Accused or prosecuted for any Criminal Matter, passed and sent to the Lower House by Col.^o Lloyd

Adjourned till 3 of the Clock in the afternoon

Eodem die post Meridiem

This House met again According to Adjournment

Present as in the Morning

An Ingrossed Bill from the Lower House Mess.^{rs} Mackall and Traverse Entituled an Act Continuing an Act Entituled an Act for amending the Staple of Tobacco for Preventing frauds in his Majestys Customs and for the Limitation of Officers Fees Also one other Act Entituled a Supplementary Act to the Act Entituled an Act for amending the Staple of Tobacco and for preventing Frauds in his Majestys Customs and for the Limetation of Officers fees Also one Other Act Entituled an Additional Supplementary Act to p. 377 the Act Entituled an Act for amending the Staple of Tobacco for preventing Frauds in his Majesty's Customs and for the Limitation of Officers Fees and also one other Act Entituled an Act for the Relief of Inspectors and owners of Tobacco and others who have suffered by Means of Extraordinary Rains and High Tides and Other Defects in the Inspection Law, thus Subscribed

29th Novem.^r 1758 Read and assented to by the Lower House of Assembly

Signed p Order M. Macnemara Cl. Lo. Ho

Read and Assented to by this House and ordered to be so subscribed The Paper Bill so Endorsed is sent to the Lower House by Benedict Calvert Esq.^r

Adjourned till to Morrow Morning at 10. o' Clock

U. H. J.
Liber No. 35
Nov. 30

Thursday Morning 30th Nov.^r 1758

This House met again according to Adjournment

Present as yesterday Except Col.^o Hammond

Col.^o Lloyd and Col.^o Tasker are sent to the Lower House to acquaint the Speaker that his Excellency requires his attendance with the Lower House in the upper House immediately to See the Bill passed this Session receive the assent

The Lower House attend and by their Speaker present to his Excellency the foregoing Bill which he passed into a Law in the usual Manner by sealing it with the right Honble the Lord Proprietary his great Seal at Arms and Subscribing it on Behalf of the Right Honourable the Lord Proprietary of this Province I will this be a Law

Adjourned till 3 of the Clock in the afternoon

Eodem die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Mess.^{rs} Waggaman and Wilson attend with Levin Gale Esq a member Returned for Somerset County in order to see him qualified who takes the Oaths to the Government appointed to be Taken by Act of Assembly repeats and Subscribes the Abjuration and Test and then withdraws

Dec. 1

Friday Morning 1.st Decem.^r 1758

This House met again according to Adjournment

Present as yesterday & Col.^o Hammond

Adjourned till three of the Clock in the afternoon

Eodem die Post Meridiem

This House met again According to Adjournment

p. 378

Present as in the Morning

Adjourned till to Morrow Morning 10: of the Clock

Dec. 2

Saturday Morning 2.^d Decemb.^r 1758

This House met again according to Adjournment

Present as Yesterday

The following Message is Sent to the Lower House by Col.^o Tasker.

By the Upper House of Assembly 2^d Decem.^r 1758

Gentlemen

This House hath appointed Benedict Calvert Esq.^r to join the Members named by your House in a Committee to Inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office.

U. H. J.
Liber No. 35
Dec. 2

Signed p order J Ross Cl: Up. Ho:

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This House met again According to Adjournment

Present as in the Morning and Daniel Dulany Esq.^r

Adjourned till Monday Morning at 10: of the Clock

Monday Morning 4th December 1758

Dec. 4

This House met again according to Adjournment

Present

The Honble { Benjamin Tasker Esq.^r
Col.^o Benjamin Tasker } Col.^o Goldsborough
Benedict Calvert Esq.^r Daniel Dulany Esq.^r

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This House met again According to Adjournment.

Present as in the morning

Adjourned till Morrow Morning 10 of the Clock

Tuesday Morning 5th December 1758

Dec. 5

This House met again according to Adjournment

Present as yesterday and Col.^o Hammond

Adjourned till 3 of the Clock in the afternoon

Eodem die post Meridiem

This House met again According to Adjournment

Present as in the morning.

Read the Petition of Several of the Inhabitants of South River p.379
in Ann Arundell County praying a Warehouse may be erected at the Land of ease instead of that burnt at Howards point referred to the Consideration of the Lower House of Assembly Likewise the Petition of John Anderson of the City of Annapolis Carpenter Praying

U. H. J.
Liber No. 35
Dec. 5

Relief referred to the Consideration of the Lower House of Assembly and both sent by Col^o Goldsborough. Read the Petition of the subscribers Clergy of the Church of England of this Province on behalf of themselves and their Brethren, rejected because it is signed by two Clergymen only, in a Matter regarding the whole Body of the Clergy

Read the Petition of the Subscribing Clergy of the Church of England within this Province rejected the Inspection Law having passed before it was received

Adjourned till Morrow Morning at 10 of the Clock

Dec. 6

Wednesday Morning 6th December 1758

This House met again according to Adjournment

Present as yesterday

A Bill from the Lower House by Mess.^{rs} Hooper and Tilden entituled an Act Continuing an Act entituled an Act for the more effectual destroying of Squirrels and Crows in the Counties of Kent, Queen Anns and Talbot and for destroying Foxes in the said Counties thus endorsed

By the Lower House of Assembly 25th November 1758
Read the first Time and ordered to lye on the Table

Signed p order M. Macnemara Cl Lo Ho

By the Lower House of Assembly 29.th Novem.^r 1758
Read the Second Time and will pass.

Signed p order M. Macnemara Cl. Lo. Ho.

Read the first Time in this House and ordered to lye on the Table
Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the morning

Two Bills from the Lower House by Mess.^{rs} Sullivane and Waters, one entituled an Act Continuing an Act, entituled an Act to prevent Disabled and Superannuated Slaves being set free, or the Manu-
p. 380 mission of Slaves by any Last Will or Testament The other an Act for the Security of Purchasers and others claiming by or from Protestant Aliens thus endorsed

By the Lower House of Assembly 25th Nov.^r 1758
Read the first Time and ordered to lye on the Table

Signed p order M. Macnemara Cl. Lo. Ho.

By the Lower House of Assembly 6th December 1758

U. H. J.
Liber No. 35
Dec. 6

Read the Second Time and will pass.

Signed p order MMacnemara Cl Lo Ho

Read the first time in this House and ordered to Lye on the Table

Adjourned till to Morrow Morning 10 of Clock

Thursday Morning 7th December 1758

Dec. 7

This House met again According to Adjournment

Present as yesterday

Read the Petition of Thomas Rutland of Ann Arundell County
praying such relief as may be Adequate to the Loss Sustained by the
Burning of the Warehouse Built by him at Howards Point. referred
to the Consideration of the Lower House and sent p Col.^o Benjamin
Tasker

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

The House met again According to Adjournment

Present as in the morning

Adjourned till tomorrow Morning 10. o' Clock

Friday Morning 8th Decemb.^r 1758

Dec. 8

This House met again According to Adjournment

Present as yesterday (except Col.^o Hammond)

Adjourned till three of the Clock in the afternoon

Eodem die post Meridiem

This House met again According to Adjournment

Present as in the morning

Adjourned till tomorrow Morning 10 of the Clock

Saturday Morning 9th Decemb.^r 1758

Dec. 9

This House met again according to Adjournment

p. 381

Present as yesterday

Adjourned till Monday Morning 10 of the Clock

U. H. J.
Liber No. 35
Dec. 11

Monday Morning 11th Decemb.^r 1758

This House met again According to adjournment

Present

The Honble. { Benjamin Tasker Esq.^r
Col.^o Charles Hammond } Col.^o Goldsborough

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This House met again According to Adjournment

Present as in the Morning

Adjourned till tomorrow Morning 10 of the Clock

Dec. 12

Tuesday Morning 12th Dec.^r 1758

This House met again according to Adjournment

Present as yesterday with Col.^o Tasker & Dan.^l Dulany Esq^r

Read the Petition of the visitors of the Free School in St Marys County Praying Leave to bring in a Bill to dispose of the Land whereon the School House was built and to buy another more Convenient referred to the Consideration of the Lower House and sent by Daniel Dulany Esq^r

Two Bills from the Lower House by Mess.^{rs} Lloyd and Beall one entituled an Act for destroying Squirrels and Crows in particular Counties, and an Act for all Tryall of all Matters of Fact in the Several Counties where they have arisen or Shall arise thus endorsed

By the Lower House of Assembly 6th Decem.^r 1758

Read the first Time and ordered to lye on the Table

Signed p Order M. Macnemara Cl Lo Ho

By the Lower House of Assembly 11 Decem.^r 1758

Read the second Time and will pass

Signed p order M. Macnemara Cl. Lo. Ho

Read the first Time in this House and ordered to Lye on the Table

Read the Second Time the Bill Entituled an Act Continuing an Act
 p. 382 Entituled an Act to prevent disabled, and Superanuated Slaves being set free, or the Manumission of Slaves by any Last Will or Testament and the Bill Entituled an Act Continuing an Act for the more effectual destroying of Squirrels and Crows in the Counties of Kent Queen Anns and Talbot and for destroying red Foxes in the said Counties passed and sent to the Lower House by Daniel Dulany Esq^r

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem
This House met again according to Adjournment

U. H. J.
Liber No. 35
Dec. 12

Present as in the morning
Adjourned till to Morrow Morning at 10 of the Clock

Wednesday Morning 13th Decem.^r 1758

Dec. 13

This House met again According to Adjournment (absent Col.^o
Hammond

Present as yesterday with Benedict Calvert Esq;
Read the Petition of the Inhabitants of Nova Scotia dispersed thro
this province Praying relief referred to the Consideration of the
Lower House and sent by Col.^o Goldsborough.

Adjourned till 3 of the Clock in the afternoon

Eodem die post Meridiem

This House met again According to Adjournment

Present as in the morning

His Excellency is pleased to Communicate to this House the
following Message

Gentlemen of the upper House

It is with great pleasure that I Inform you that Lieu.^t Col.^o Dag-
worthy is just arrived from Fort Duquesne and brings in an Ac-
count that his Majestys Troops under the Command of Brigadier
General Forbes took Possession of that place the 25th of Last Month,
the Enemy's Troops that were in Garrison there having abandon it
two days before, gone of Some up the River Ohio towards Canada
and the rest down the river Mississippi, and I most heartily Con-
gratulate you on this hapy Event

Hor.^o Sharpe

13th of Decem.^r 1758.

Benjamin Tasker Esq; attended by the members of this House
presents to his Excellency the following Address

To his Excellency Horatio Sharpe Esq.^r Governor and Commander p. 383
in Chief in and over the Province of Maryland

The Humble Address of the Upper House of Assembly
May it Please your Excellency.

We are much obliged to you for the very Agreeable Account of
his Majesty's Troops under the Command of Brigadier General
Forbes haveing Taken possession of Fort Duquesne Communicated
in your Excellencys Message of this day and Sincerely hope that the

U. H. J. advantage will not be Lost through the inattention of those whose
 Liber No. 35 duty and Interest it is to preserve and pursue it
 Dec. 13

B. Tasker Presid^t

Adjourned till tomorrow Morning at 10 of the Clock

Dec. 14

Thursday Morning 14th Decem.^r 1758

This House met again according to Adjournment

Present as yesterday & Col.^r Hammond

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the morning

Adjourned till tomorrow Morning at 10 of the Clock

Dec. 15

Friday Morning 15th Decem.^r 1758

This House met again according to Adjournment

Present as yesterday

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This House met again According to Adjournment

Present as in the Morning

Read the Second Time the Bill Entituled an Act for destroying
 Squirrels and Crows in Particular Counties passed and Sent to the
 Lower House by Benedict Calvert Esq

Read the Second Time the Bill Entituled an Act for Tryal of all
 matters of Fact in the several Counties were they have arisen or
 shall arise, and will not pass and Sent to the Lower House by Daniel
 Dulany Esq

Adjourned till to Morrow Morning at 10 of the Clock

Dec. 16

Saturday Morning 16th Decem.^r 1758

p. 384 This House met again according to Adjournment

Present as in the Morning [sic]

A Bill from the Lower House by M.^r Hammond and Several
 others entituled an Act for granting a Supply of £36000 for his

Majestys service and the more immediate defence and Security of the Frontier Inhabitants of this Province and emitting £24000 thereof in Bills of Credit and raising a Fund for Sinking and replaceing the whole by an equal Assessment on all Estates real and Personall and Lucrative Offices and employments thus endorsed

U. H. J.
Liber No. 35
Dec. 16

By the Lower House of Assembly 9th Decem.^r 1758

Read the first Time and ordered to lye on the Table

Signed p order MMacnemara Cl Lo. Ho

By the Lower House of Assembly 16th December 1758

Read the Second Time and will pass

Signed p order MMacnemara Cl Lo Ho

Read the first Time in this House and ordered to Lye on the Table

Read the Petition of James Johnson praying the Annexed Account may be payed him by the Publick for Sundry goods delivered to the Indians at Annapolis in 1742 referred to the Consideration of the Lower House and sent by Benedict Calvert Esq.^r

Adjourned till 3 of the Clock in the afternoon

Eodem die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till Monday Morning at 10 of the Clock

Monday Morning 18th decem.^r 1758

Dec. 18

This House met again according to Adjournment

Present

The Honble	Benjamin Tasker Esq Col. ^o Cha. ^s Hammond Col ^o Benjamin Tasker	Benedict Calvert Esq Daniel Dulany Esq
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Adjourned till three of the Clock in the afternoon

Eo. Die Post Meridiem

p. 385

This House met again according to adjournment

Present as in the Morning

Read the Second Time the Bill ent.^d an Act for granting a Supply of £36,000 for his Majestys Service and the more immediate Defence and Security of the Frontier Inhabitants of this Province and emitting £24,000 thereof in Bills of Credit and raising a Fund

U. H. J. for Sincking and replaceing the whole by an equal Assessment in
 Liber No. 35 all Estates real and Personal, and Lucrative Offices and employments
 Dec. 18 and Will not pass, sent to the Lower House by Col.^o Charles Ham-
 mond

Adjourned till to Morrow Morning at 10 of Clock

Dec. 19

Tuesday Morning 19th December 1758.

This House met again according to Adjournment

Present as yesterday

Read the Petition of James Matthews of Baltimore County Late
 press master Praying relief referred to the Consideration of the
 Lower House and Sent by Benedict Calvert Esq.^r

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the Petition of the Ex.^{rs} of John Paca jun.^r Late of Balti-
 more County deceased Praying relief referred to the Consideration
 of the Lower House and sent by Benedc.^t Calvert Esq^r

Ordered that Col.^o Tasker and Daniel Dulany Esq examine and
 Inspect the Accounts of the agents appointed by the £40,000 Act
 and make report thereupon to this House

Col.^o Hammond and Col.^o Tasker are sent to the Lower House
 to acquaint the Speaker that his Excellency requires his attendance
 with the Lower House in the Upper House immediately

The Lower House attend and his Excellency is pleased to make
 the following Speech

Gentlemen of the Upper and Lower Houses of Assembly

In Consequence of an Intimation from the Lords of Trade and
 plantations the Right Honourable the Lord Proprietary hath Com-
 manded me to recommend it to you to agree and prepare a Bill
 p. 386 for obliging the masters of all Vessels that shall Come to this Prov-
 ince through the Capes of Virginia to pay a duty of two pence Sterling
 a Ton towards building a Light House on Cape Henry and keeping
 a Light therein, the said Duty to Commerce from the Time that a
 Similar Act shall be made by the Legislature of virginia for the Same
 purpose and the amount thereof or a part of it to be expended and
 paid Annually inproportion to what shall be Expended and Applied
 every year out of the money that Shall be received from the masters
 of Vessels Trading to virginia

I must also recommend to you to grant a sum of Money at this Time for the Support of Some French prisoners that were Lately brought into this Province and of any others that may be brought hither, until they can be sent to some French Port in exchange for an equal Number of French [sic] Sailors, or until I have an opportunity of Shipping them to Great Britain

U. H. J.
Liber No. 35
Dec. 19

Ordered that the Petition of Nathan Baker and John Smith Son and Heir of John Smith Late of Cæcil County Deceased and the Remonstrance of Robert Alexander be referred to the Consideration of the next Session of Assembly

Read the Petition of Mary Stansbury of Baltimore County & referred to the Consideration of the next session of Assembly and ordered that Proper vouchers be then produced in Support of the said Petition

Read the Petition of Robert Freeland Son and Devisee of Robert Freeland Late of Calvert County Deceased praying relief referred to next session of Assembly and ordered that the petitioner give notice to the Parties interested then to attend.

Adjourned till tomorrow Morning at 10 of the Clock

Wednesday Morning 20th Decem.^r 1758

Dec. 20

This House met again according to Adjournment

Present as yesterday

Read the Petition of Several of the Freeholders of Frederick County praying a repeal of the act of Assembly Passed in 1757 prohibiting the raising Swine and Geese in the said County rejected

A Bill from the Lower House by Mess.^{rs} Carroll and Steuart entituled an Act for the keeping a Publick Warehouse for Inspecting Tobacco on Land of Ease on South River thus endorsed

p. 387

By the Lower House of Assembly 20th of Decemb.^r 1758

Read the first and Second Time by an especial order and will pass.

Signed p order M. Macnemara Cl. Lo. Ho

Read the first and Second Time in this House by especial order, passed and Sent to the Lower House by Col.^o Tasker

Adjourned till 3 of the Clock in the afternoon

Eo. Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the petitions of William Dames, Joseph Clift, James Chambers, Emanuel Pride, John Eccles, and John Hollingsworth of Queen

U. H. J.
Liber No. 35
Dec. 20

Anns County Ferdinando Brewer John Butler of Talbot County
William Figgs in Somerset County, Johnathan Seal of St Marys
County John Brown and Richard Beard of Ann Arundell County,
John Randall William Fell, Edward Cooley of Baltimore County
Basil Beckwith, John Gittings Nathaniel Wickham &
Turnbell of Frederick County praying Relief

Read the Petition of the Rector Vestrymen and Church Wardens and other Parishioners of Port Tobacco Parish in Charles County praying an Act may pass empowering the Justices of Charles County to Levy Annually on the Inhabitants of said Parish a Quanty of Tobacco p Poll for the maintaining an organest referred to the Consideration of the Lower House and Sent by Daniel Dulany Esq

Upon reading the Second Time the Bill Entituled an Act for the security of purchasers and others claiming by or from protestant Aliens the following Amendments were proposed to be made to the said Bill by Daniel Dulany Esq.^r

Leave out the word protestant in the Title

Leave out the words Being Protestants in the Preamble

Leave out in the first Enacting Clause after the words Aliens the following words being Protestants at the time of such purchase

Leave out in the second Enacting Clause after the word Aliens the words being a Protestant or protestants

Leave out after the word alien in the 5th Line of the Last enacting
p. 388 Clause the words being a Protestant, which being read were not agreed to by this House and the question being then put whether the said Bill should pass, resolved in the Negative to which Daniel Dulany Esq enters the following Protest The question being put whether the Bill sent up from the Lower House entituled an Act for the Security of purchasers and others Claiming by or from protestant Aliens should pass and determined in the negative. To that negative I Dissent and desire that my Dissent with the following reasons for it may be entered Vizt

1.st because Aliens who have settled in this Province, and by their Labour Industry & Frugallity improved a Wilderness into regular Fruitfull and well Stocked Plantations, were invited hither by Proclamations Translated into the German Language and Carefully Dispersed in Germany and the Faith of this Government which ought to be religiously observed, hath been in the most solemn and explect Terms engaged to them that they should be secure and protected in the enjoyment of their property

2.^d Because the miscarriage of the Bill upon an apprehension that his Lordship the Lord propry might Dislike it from the Consideration of his Revenues being affected in respect of his Escheats, implies a supposition too Derogatory to his Lordships Honour and

apparently repugnant to experience as well as a rule too narrow and inconsistent with the Dignity of the Middle Branch of the Legislature to be admitted or suffered

U. H. J.
Liber No. 35
Dec. 20

3.^d Because of the Rights of Aliens acquired upon the most meritorious Considerations were to be destroyed impeached or brought into Hazards for the delusive Prospect of a temporary Increase of his Lordships Revenues, many Hundred Families of usefull . . . industrious and well affected Subjects would be effectually Banished and others under their Circumstances Certainly prevented by Such a flagrant Violation of the Rules of good Faith and Justice from Settling here, to the real Demunition of his Lordships Revenue, the disgrace of his Government and the Impoverishment of his Province

4.th Because such a Bill (it having been the Subject of Deliberation and publick Debate) is now become Absolutely necessary to quiet the minds of the Alien Inhabitants who from their Ignorance of our Laws and Constitution a Consciousness of their Inability to manage Law suits with the Same Advantage that others can or a dread of Power might be intimidated into a surrender of their Rights upon the Issuing of escheat Warrants, or if this should not happen those who may be tempted by the Bait of Escheat warrants would be ensnared by the alluring Prospect of gain or Acts of Power the most dangerous in their Nature exercised to vindicate and Support these oppressive Escheats I cant Conceive that if the Case of an Alien patentee who has settled here in Consequence of Proclamations the strongest assurance of protection and Particular Instructions for his Encouragement, paid his Lordship his Stipulated Caution money, his Judges of the Land office for Issuing the Land Warrant, his Surveyor for executing the warrant his Examiner for passing the Certificate, his Judges of the Land office for makeing out the Patent & his Chanc.^l for the seal, their respective fees and punctually rendered to his Lordship the reserved Quit Rents as his immediate Tenant, were stated in a special verdict any purchaser under an Escheat Patent could finally prevail (should the Aliens pretensions be effectually prosecuted) against such an Alien by a rigorous Determination contrary to the rules of Publick Faith, and the sacred Obligations of equity and Justice

5.th Because if the principle upon which the Bill has been rejected, should be extended to similar Cases (and no reason can be assigned why it should not) it will become a rule not to give a passage through this House to any Bill securitative of the rights of the People as the Lord Proprietary might be affected in his Escheats in proportion to the utility and efficacy of such a Bill and thus one of the great ends of Legislature would be defeated and a Destruction pregnant with irreconcileable Enmity be established between his Lordships

p. 389

U. H. J. and the Tenants Interest which ought for their mutual Advantage
 Liber No. 35 and Benefit to be Inseparably conjoined, and such Jealousies and
 Dec. 20 Suspicions, Dissentions and Annimosityes as cited as cant but prove
 highly Detrimental to his Lordships revenue, discourage the further
 Settlement of this province, cast an odious Blemish upon the Char-
 acter of his Government, and depopulate the Country

6.th Because such Bills have passed into Laws in the other Colonies, Particularly in New York Pensilvania and Virginia and the want of such a provision here will deprive this province of the Benefit accruing to the other Colonies from their better Policy in this p. 390 Article, and the Act of Parliament for naturalizing of Foreign Protestants, for the Situation and Circumstances of the Inhabitants of this Country (except a few Mechanicks, are such that they cant Subsist without the Allowance of Some portion of real Property and as Aliens are not Naturalized by the Statute till after a residence in the Plantations for a Term of years, should there not be that assurance given them here which they have in the other Colonies Arising from Acts of Assembly having a Relation or Retrospect to Confirm their Titles when by the Act of God they may be hindered from Strictly Complying with all the Terms of the Statute it is not reasonably to be expected that any of these Emigrants will settle here

7.th Because the Miscarriage of the Bill in this House may set greedy men upon Disturbing the Possessions of Aliens from an Expectation of the Countinance of the Government and should any of these Alien Inhabitants be hereafter naturalized (which depends upon the Probable Contingency of their Living the Time required by the Statute) they might after being Striped of their Possessions for want of knowledge or ability or a defect of Spirit to defend their Rights recover their Lands against Escheat Patentees from the Legal Operation of their Naturalization, and great oppression Confusion and multiplicity of Law Suits and other Inconveniences may ensue

8 Because a Law to the effect of the rejected Bill would Advance his Lordships and his Noble Ancestors Laudable endeavours to settle this part of his Majestys Dominions with usefull and industrious Subjects and add great weight to the Late Generous Instructions for the Encouragement of Aliens, but no promise no invitation no proclamation no Instruction will after the Miscarriage of this Bill be regarded but as an engine or Snare to catch and ruin the unwar

9.^{thly} and Lastly because the suggestion is as groundless as the apprehension is Chimerical, that if this Bill were passed into a Law some expressions artificially inserted in it may possibly introduce rule of Determination in the Courts of Law tending to invalidate his Lordships General Right in the matter of Escheats and if there were

Really such expressions they ought to be pointed out and corrected & not Assigned as a reason for rejecting the whole Bill. The Composition of the Bill is so Concise and plain, and the subject Matter of it so Confined and Simple that the Dread of any Intent Design in the Framers of it Seems to be rather the effect of an excessive Diffidence than a prudent Caution

Dan.¹ DulanyU. H. J.
Liber No. 35
Dec. 20
p. 391

Read the Second Time the Bill Entituled an Act for the security of Purchasers and Others Claiming by or from Aliens, and will not Pass. Sent to the Lower House by Col.^o Tasker. Read the Petition of Lieutenant Col.^o Dagworthy Cap.^t Alexander and Jos. Beall and others on behalf of themselves and others praying a Bill may be brought in to pay off the Arrears due to them or by Some other method to secure them from a Goal or perishing for Want of the Common Necessaryes of Life referred to the Consideration of the Lower House of Assembly, and sent by B. Calvert Esq.^r

Adjourned till to Morrow Morning at 10 of the Clock

Thursday Morning 21st Decem.^r 1758

Dec. 21

This House met again According to Adjournment

Present as yesterday except Col.^o Hammond

A Bill from the Lower House by Mess.^{rs} Plater and Key enti.^d an Act for selling the Lands whereon the Freeschool in St Marys County stood and for rebuilding the said School House thus endorsed

By the Lower House of Assembly 21st Decem.^r 1758.

Read the first and Second Time by an especial order and Will pass

Signed p order MMacnemara Cl. Lo. Ho.

Read the first and Second Time in this House passed and Sent to the Lower House by B Calvert Esq.^r

Read the following Petitions Viz.^t Robert Riddle of Prince Georges County Henry Bosworth of Cæcil County, Jeremiah Grassingham of Talbot County John Mumford of Calvert County Edward Doud Robert M Carmack John Barney Jacob Mills Francis Carr and Peter Bell of Dorchester County, Philip Adams of Somerset County Languishing Prisoners in the said Counties referred to the Consideration of the Lower House and sent by Col.^o Tasker

Read the Petition of William Clason and Mary his Wife Adm.^x of Gamaliel Butler praying that a Bill may be brought in to sell the Lott and Houses of the said Gamaliel Butler in the City of Annapolis for the payment of his Debts Referred to the Consideration of the Lower House and Sent by Col.^o Tasker

Adjourned till 3 of the Clock in the afternoon

p. 392

U. H. J.
Liber No. 35
Dec. 21

Eodem Die post Meridiem
This House met again according to Adjournment

Present as in the Morning

A Bill from the Lower House entituled an Act repealing part of an Act laying an Imposition on Negroes and on Several Sorts of Liquors imported and also on Irish Servants to prevent the importing too great a Number of Irish Papists into this Province and to lay a duty upon Rum Spirits Wine and Brandy imported into this Province from Pensylvania or the three Lower Counties on Delaware called Newcastle Kent and Sussex thus endorsed

By the Lower House of Assembly 21st Decem.^r 1758

Read the first and Second Time by an especial order and Will Pass

Signed p order M. Macnemara Cl Lo Ho

Read the first and Second Time by an especial order in this House and Will not pass: sent to the Lower House by Daniel Dulany Esq.^r

Two Bills from the Lower House by Mess.^{rs} Worthington and Bowman, one entituled an Act Continuing an Act Entituled an Act for repairing the Publick Roads in the province also the supplementary Act thereto, and an Act to enable the agents appointed by an Act entituled an Act for granting a supply of £40000 for his Majestys Service and Stricking £34015.6.0 thereof in Bills of Credit and raising a fund for Sinking the same to pay the several sums of Money for Indian scalps to the persons herein mentioned thus endosed

By the Lower House of Assembly 21st December 1758

Read the first and second Time by an especial order and Will pass

Signed p order M. Macnemara Cl Lo Ho

Read the first Time in this House passed and sent to the Lower House by Benedict Calvert Esq;

Three engrossed Bills are brought from the Lower House by Mess.^{rs} Mackall and Stoddert, entituled as follows (Viz^t) an Act Continuing an Act entituled an Act for amending the Staple of Tobacco for preventing Frauds in his Majestys Customs and for the Limitation of Officers fees also one other Act entituled a supplementary Act to the Act entituled an Act for amending the Staple of Tobacco for preventing Frauds in his Majestys Customs and for the Limetation of officers fees An Act Continuing an Act entituled an Act for the relief of Such persons as cannot find Surety for their appearance to Testify as a Witness against any person arrested, accused or prosecuted for any Criminal Matter An Act Continuing an Act, Entituled an Act to prevent Disabled and superannuated

Slaves being set free or the Manumission of Slaves by any Last Will or Testament, Severally thus Subscribed

U. H. J.
Liber No. 35
Dec. 21

21st Decem.^r 1758 Read & Assented to by the Lo. Ho of Assembly
Signed p order M. Macnemara Cl Lo Ho

Read and assented to and ordered to be so Subscribed
The Paper Bills so endorsed are Sent to the Lower House by
Benedict Calvert Esq

Adjourned till to Morrow Morning at 10 of the Clock

Thursday [sic, Friday] Morning 22.^d Decem.^r 1758

Dec. 22

This House met again according to Adjournment

Present as yesterday

The engrossed Bills from the Lower House by Mess.^{rs} Hanson and Dent (Viz^t) An Act Continuing an Act entituled an Act for the more effectual destroying of Squirrels and Crows in the Counties of Kent, Queen Anns and Talbot and for destroying red Foxes in the said Counties. An Act for destroying Squirrels and Crows in particular Counties—an Act for the keeping a Publick Warehouse for Inspecting Tobacco at the Land of ease in South river. Severally thus Subscribed

22^d Decemb.^r 1758

Read and Assented to by the Lower House of Assembly

Signed p order M. Macnemara Cl. Lo. Ho

Read and Assented to by this House and ordered to be so Subscribed

The paper Bills so endorsed are sent to the Lo. Ho. by B. Calvert Esq and the Bill entituled an Act to empower the Justices of Charles County to Levy on the Taxable Inhabitants of Port Tobacco Parish in said County a Sum not exceeding two pounds of Tobacco p poll for the support of an organest in said Parish, thus endorsed

By the Lower House of Assembly 22^d Decem.^r 1758

Read the first and Second Time by an especial order and will pass

Signed p order M. Macnemara Cl Lo Ho

Read the first and Second Time in this House, passed and sent p. 394 to the Lower House by Col.^o Tasker

A Bill from the Lower House by Mess.^{rs} Lloyd and Sullivane Entituled an Act for the Relief of Certain Languishing Prisoners in the Several County Goals therein mentioned thus endorsed.

By the Lower House of Assembly 22.^d Decem.^r 1758

U. H. J.
Liber No. 35
Dec. 22

Read the first and Second Time by especial order and will pass
Signed p Order M. Macnemara Cl Lo Ho

Read the first Time in this House and ordered to Lye on the Table
Adjourned till three of the Clock in the afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning.

Read the Second Time the Bill Entituled an Act for the relief of Certain Languishing Prisoners in the several County Goals therein mentioned. and with the following amendments will pass

Leave out the first proviso in the third page of the Bill

Leave out also the Last proviso and insert the following Enacting Clause and Proviso.

And be it Enacted that in Case any of the Debtors aforesaid owe and are indebted to the Loan office of this province upon the Discharge of Such Debtor or Debtors According to the Directions of this Act the surety of Such Debtor or Debtors shall be also exempted released and Discharged to all Intents and Purposes for and in respect of any Claim or Demand Whatsoever which the Commissioners or Trustees of the said Office have or may have against the suretys of Such Debtor or Debtors

Provided always and be it Enacted that nothing in this Act Contained shall extend or be Construed to extend to his most Sacred Majesty his Heirs and Successors the right Honble the Lord Proprietary his Heirs and successors or any Bodies Politick or Corporate but that their and every of their Claims and Demands shall be and remain in the same force Vigour and effect to all intents and purposes Whatsoever as if this Act had not been made. Sent to the Lower House by Col.^o Benjamin Tasker Two engrossed Bills from the Lower House by Mess.^{rs} Govane and Hanson Viz.^t An Act Continuing an Act Entituled an act for repairing the public Roads in this province and the Supplementary Act thereto, An Act to enable the agents appointed by an Act entit.^d an Act for granting a Supply of £40,000 for his Majestys Service and Striking £34015.6 thereof in Bills of Credit and raising a Fund for Sinking the same to pay the several sums of Money for Indian scalps to the persons in this Act mentioned thus subscribed

p. 395
22.^d Decemb.^r 1758 Read and assented to by the Lower House of Assembly Signed p order M. Macnemara Cl Lo Ho

Read and assented to by this House and ordered to be so subscribed

The Paper Bills so endorsed are sent to the Lower House by B. Calvert Esq.^r

A Bill from the Lower House by Col.^o Fitzhugh and Mr^r Hopper entituled an Act for granting a Sum of Money as a present to the Forces Late in the pay of this Province, and Taken into his Majestys Service by Brigadier General Forbes thus endorsed

U. H. J.
Liber No. 35
Dec. 22

By the Lower House of Assembly 22.^d Decem.^r 1758

Read the first and Second Time by an especial order and will pass

Signed p order M. Macnemara Cl Lo Ho

Read the first and Second Time in this House by an especial Order

Passed and sent to the Lower House by Daniel Dulany Esq^r

Adjourned till to Morrow Morning 10. of the Clock

Saturday Morning 23.^d Decem.^r 1758

Dec. 23

This House met again according to Adjournment

Present as yesterday

Two engrossed Bills from the Lower House by Mess.^{rs} Murdock and Edmunson Viz.^t An Act to impower the Justices of Charles County to Levy on the Taxable Inhabitants of Port Tobacco Parish in the said County a sum not exceeding two pounds of Tobacco p Poll Annually for the support of an organist in said Parish. an Act for granting a sum of money as a present to the Forces Late in the pay and service of this province and Taken into his Majestys service by Brigadier General Forbes thus subscribed

23^d Decem.^r 1758 Read and Assented to by the Lower House of Assembly

Signed p order M. Macnemara Cl Lo Ho

Read and Assented to and ordered to be so subscribed

The paper Bills so endorsed are sent to the Lower House by p. 396 Benedict Calvert Esq and an Act for the relief of Certain Languishing Prisoners in the Several County Goals therein mentioned thus endorsed

By the Lower House of Assembly 23.^d Decem.^r 1758

Read the first and Second Time by an especial order and Will pass

Signed p Order M. Macnemara Cl Lo Ho.

Read the first Time in this House and will not pass sent to the Lower House by Benedict Calvert Esq^r

The several paper Bills the originals of Which have passed both Houses this Session are sent to the Lower House by Benedict Calvert Esq.^r

Col.^o Tasker & B Calvert Esq.^r are sent to the Lower House to acquaint the Speaker that his Excellency requires his immediate

U. H. J. attendance with Lower House in the upper House to see the Bills
 Liber No. 35 passed both Houses this Session receive the assent
 Dec. 23

The Lower House attend and by their Speaker present to his Excellency the following Bills

The act entit.^d an Act Continuing an Act, entituled an Act for amending the Staple of Tobacco for presenting Frauds in his Majestys Customs and for the Limetation of Officers fees also one other Act Entituled a supplementary Act to the Act Entituled an Act for amending the Staple of Tobacco for preventing frauds in his Majestys Customs and for the Limetation of officers fees also one other Act entit.^d an Additional Supplementary Act to the Act entit.^d an Act for amending the Staple of Tobacco for preventing Frauds in his Majestys Customs and for the Limetation of Officers fees and also one other Act entit.^d an Act for the relief of Inspectors and owners of Tobacco and others who have Suffered by means of Extraordinary Rains and high Tides and other defects in the Inspection Law having Passed before

An Act Continuing an Act Entituled an Act for the relief of Such Persons as Cannot find surety for their appearance to Testify as a Witness against any Person arrested Accused or prosecuted for any Criminal Matter

An Act Continuing an Act entit.^d an Act to prevent disabled and superannuated Slaves being set free, or the manumission of Slaves by any Last Will or Testament

An Act Continuing an Act entituled an Act for the more effectual destroying of Squirrels and Crows in the Counties of Kent Queen p. 397 Anns and Talbot and for Destroying red Foxes in the said Counties

An Act for Destroying Squirrels and Crows in Particular Counties

An Act for the keeping a Publick Warehouse for Inspecting Tobacco at the Land of Ease on South River An Act for Selling the Land whereon the Free School in S^t Marys stood and for Rebuilding the said School House.

An Act Continuing an Act, entituled an Act, for repairing the Publick Roads in this province, and the supplementary Act thereto

An Act to enable the agents appointed by an Act, entituled an Act for granting a supply of £40000 for his Majestys Service and striking £34015.6.0 thereof in Bills of Credit and raising a Fund for Sinking the same to pay the Several Sums of Money for Indian Scalps to the persons in this Act mentioned

An Act to Impower the Justices of Charles County, to levy on the Taxable Inhabitants of Port Tobacco Parish in the said County a sum not exceeding two pounds of Tobacco p poll Annually for the Support of an organist in said Parish

An Act for granting a sum of Money as a present to the Forces Late in the pay of this Province, and Taken into his Majestys service by Brigadier General Forbes. All which his Excellency passed into Laws in the usual form by Sealing them with the right Honourable the Lord proprietary his great Seal at Arms and Subscribing them on behalf of the Right Honourable the Lord Proprietary of this Province. I Will this be a Law

U. H. J.
Liber No. 35
Dec. 23

After which his Excellency was pleased to Conclude this session with the following Speech

Gentlemen of the Upper and Lower Houses of Assembly

I have thought fit with the Advice of his Lordships Council of State to prorogue this Assembly to Tuesday the 27th day of February Next, you are to take Notice therefore, that you are prorogued to that day Accordingly

Thus ends this session of Assembly begun and held at the City of Annapolis on Wednesday the 22.^d day of November ending the 23^d day of December following in the eighth year of his Lordships Dominion Annoq; Domini 1758

J Ross, Cl. Up. Ho.

PROCEEDINGS
OF THE
LOWER HOUSE OF ASSEMBLY

L. H. J.
Liber No. 51
Nov. 22
p. 29 At a Session of Assembly held at the City of Annapolis on Wednesday the 22d Day of November, in the Year One Thousand Seven Hundred and Fifty-eight, and in the Eighth Year of the Dominion of the Right Honourable Frederick, Absolute Lord and Proprietary of the Provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. (his Excellency Horatio Sharpe, Esq; being Governor), the following Delegates appeared in the Lower House of Assembly;

The Honourable Henry Hooper, Esq; Speaker.

- | | |
|---|---|
| For St. Mary's County,
Mr. Thomas Greenfield. | For Dorchester County,
Mr. Daniel Sulivane. |
| For Kent County,
Alexander Williamson, Esq;
Major William Hynson,
Mr. John Tilden,
Mr. Richard Gresham. | For Baltimore County,
Mr. Thomas Cockey Deye,
Mr. William Govane,
Mr. John Hammond Dorsey,
Mr. Samuel Owings. |
| For Anne-Arundel County,
Philip Hammond Esq;
Capt. John Gassaway,
Mr. Charles Carroll,
Mr. Brice T. B. Worthington. | For Prince-George's County,
Mr. William Murdock,
Mr. Francis King,
Mr. Josias Beall, junior. |
| For Calvert County,
Mr. Edward Gant. | For the City of Annapolis,
Mr. Walter Dulany,
Dr. George Steuart. |
| For Charles County,
Mr. John Hanson, junior,
Capt. George Dent,
Mr. John Trueman Stoddert. | For Queen-Anne's County,
Col. William Hopper,
Mr. Thomas Harris. |
| For Talbot County,
Mr. John Goldsborough,
Mr. Pollard Edmondson,
Mr. Samuel Bowman. | For Worcester County,
Col. John Scarborough,
Mr. Benton Harris. |
| | For Frederick County,
Capt. Joseph Chapline. |

A sufficient Number of Delegates to compose a Lower House of Assembly, being convened at the Stadt House, Ordered, That Mr. John Goldsborough and Mr. Carroll do acquaint his Excellency the Governor therewith.

L. H. J.
Liber No. 51
Nov. 22
p. 30

They return and acquaint Mr. Speaker, That they delivered the Message.

Col. Hammond, and Philip Thomas, Esq; from the Upper House, acquaint Mr. Speaker, That the Governor requires the Attendance of the Lower House in the Upper House.

Mr. Speaker left the Chair, and (with the Rest of the Members of the Lower House) attended his Excellency in the Upper House; where he made the following Speech, viz.

Gentlemen of the Upper and Lower Houses of Assembly,

Since I met you the Twenty-third of last Month, I have received a Letter from General Forbes, wherein he is pleased to signify to me what Measures he thinks ought to be taken for the Security of This, and the Two neighbouring Colonies, during the approaching Winter, and how far he expects the Inhabitants of this Province in particular, will contribute towards carrying them into Execution: That you may be the better able to judge of the Expediency of those Matters, I shall lay the General's Letter before you, not doubting but your Determination and Proceedings thereupon, will be agreeable to his Excellency's Wishes.

A Copy of which the Governor delivered to Mr. Speaker.

Mr. Speaker (with the Rest of the Members) Returned to the Lower House, and Reassumed the Chair.

Ordered, That his Excellency's Speech be Read; which accordingly was; and Ordered to lie on the Table.

His Excellency communicated to Mr. Speaker, the following Letter, viz.

Ray's-Town Camp, October 22d, 1758.

Sir,

The heavy Rains that have fallen of late, had rendered the Roads [The letter from General Forbes beginning thus is printed in full in the Upper House Journal, pp. 39-41]

Which was Read, and Ordered to lie on the Table.

Major Henry Travers, a Delegate of Dorchester County, appeared in the House.

p. 32

Ordered, That Mr. Goldsborough, and Mr. Sulivane, do go with him to the Upper House, to see him Qualified: They return and acquaint Mr. Speaker, that they saw him Qualified in the usual Manner.

L. H. J.
Liber No. 51
Nov. 22

The Gentleman took his Seat in the House.
On Motion, Ordered, That the Gentlemen appointed on the several standing Committees at last Convention, be continued thereon during this Session.

Resolved, That the Rules ordered to be observed by the several Members of this House last Session, be observed as such during this Session.

Resolved, That the Hours of Sitting this Session, for Dispatch of Public Business, be from Nine of the Clock in the Morning until One, and from Two of the Clock Afternoon until Five.

Ordered, That Mr. Dulany do acquaint the Reverend Mr. Clement Brooke, That he is requested by this House, to read Divine Service daily, during this Session, at a Quarter before Nine of the Clock in the Morning, and at Five of the Clock Afternoon.

p. 33 On Motion, Ordered, That Mr. Speaker do issue his Warrant to the Deputy Secretary of this Province, to make out a new Writ of Election, directed to the Sheriff of Worcester County, to Elect a Delegate to serve in the General Assembly of this Province, now Sitting, in the Room of Major Benjamin Handy, who, since the late Election, hath accepted the Office of Sheriff of the said County.

On Motion, Ordered, That his Excellency's Speech be again Read; which accordingly was.

Ordered, That an Address be prepared to his Excellency the Governor thereon; and that Mr. Murdock, Philip Hammond, Esq; Mr. Carroll, Mr. Goldsborough, Mr. Dulany and Dr. Steuart, do prepare and bring in the same.

The House adjourns till the Morrow Morning at 9 of the Clock.

Nov. 23

Thursday, 23 November, 1758.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings of Yesterday were Read.

Mr. Murdock brings in and delivers to Mr. Speaker, an Address to his Excellency, which was Read, and Ordered to lie on the Table.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

Major Wagaman appeared in the House.

On Reading the second Time the Address to his Excellency the Governor, the Question was put, That the following Words, viz. (Which we hope will not be embarrassed by any unnecessary Obstruction) between the Words Dispatch and proceed, in the last Paragraph of the Address, be left out? Resolved in the Negative.

	For the Affirmative,		L. H. J. Liber No. 51 Nov. 23
Williamson, Tilden, Gresham, Waggaman, Goldsborough,	Edmondson, Bowman, Sulivane, Travers, Dulany,	Steuart, Scarborough, B. Harris.	
			13
	For the Negative,		p. 34
Greenfield, Hynson, Hammond, Gassaway, Beall, Carroll, Worthington,	Gantt, Hanson, Hopper, Dent, Stoddert, Cockey Deye, Govane,	T. Harris, J. H. Dorsey, Owings, Murdock, King, Chapline.	
			20

The Address to his Excellency was Read, Approved, and Ordered to be Ingrossed.

Mr. Murdock brings in and delivers to Mr. Speaker, the following ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland:

The humble Address of the House of Delegates.

May it please your Excellency,

We, his Majesty's most dutiful and loyal Subjects, the Delegates of the Freemen of Maryland, in Assembly convened, return your Excellency our Thanks for your Speech at the Opening of this Session.

As we have the Security of this Colony, and his Majesty's Service in general, most sincerely at Heart, we embrace, with the greatest Clearfulness, every Opportunity your Excellency is pleased to give us of exerting our zealous Endeavours to concur in, and to the utmost of our Abilities support, every Measure conducive to those desirable Ends.

This House had, at their last Meeting, Resolved, That they would Reimburse General Forbes, out of the first Supplies that should be Granted for his Majesty's Service, all the Money he had or should reasonably advance on Account of the Troops of this Province, taken into his Majesty's Service, to the End of the Campaign, and a Bill to carry their Resolutions into Effect, might have been, by this Time, passed, or in great Forwardness, had not your Excellency prevented it by a Prorogation.

We shall take under our Consideration the General's Letter, and with Dispatch (which we hope will not be embarrassed by any un-

L. H. J. necessary Obstruction) proceed to such Determinations thereupon,
 Liber No. 51 as may fully answer every Thing his Excellency can reasonably wish
 Nov. 23 or expect from the Inhabitants of this Province.
 p. 35

Which was Read and Assented to, and Signed, by Order of the House, by the Honourable Speaker.

On Motion, Ordered, That Mr. Goldsborough, and Mr. Hanson, do make an Enquiry into what Laws will expire with the Close of this Session; and make Report thereof to the House.

Col. Fitzhugh, and Mr. Plater, appeared in the House.

The House adjourns till the Morrow Morning at 9 of the Clock.

Nov. 24

Friday 24 November, 1758.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Mr. Key and Mr. Earle appeared in the House.

Mr. Goldsborough brings in and delivers to Mr. Speaker, the following Report, viz.

November 24, 1758.

By the Committee appointed by the Honourable the Lower House of Assembly to enquire what Laws will expire this Session, do find, that the following Laws will expire at the End of this Session, if not continued, viz.

An Act, entituled, An Act for ascertaining the Allowance of Petit Jurors attending the Provincial Court to limit Costs with Respect to Witnesses, and for settling their Allowance as to itinerant Charges, made at a Session of Assembly begun and held at the City of Annapolis the 24th Day of May 1749.

An Act, entituled, An Act for the Destroying Squirrels and Crows in the several Counties therein mentioned made at a Session of Assembly begun and held at the City of Annapolis the third Day of June, 1752.

An Act, entituled, An Act for the Relief of such Persons as cannot find Surety for their Appearance to testify as a Witness against any Person arrested, accused, or prosecuted, for any Criminal Matter, made at a Session of Assembly begun and held at the City of Annapolis the third Day of June, 1752.

An Act, entituled, An Act to prevent disabled and superannuated Slaves being set free, or the Manumission of Slaves by any last Will or Testament, made at a Session of Assembly begun and held at the City of Annapolis the third Day of June, 1752.

An Act, entituled, An Act for the more effectual destroying of Squirrels and Crows in the Counties of Kent, Queen-Anne's and Talbot; and for destroying Red Foxes in the said Counties, made

p. 36

at a Session of Assembly begun and held at the City of Annapolis the 24th Day of May, 1749.

L. H. J.
Liber No. 51
Nov. 24

An Act, entituled, An Act for Repairing the Public Roads in this Province, made at a Session of Assembly, begun and held at the City of Annapolis the second Day of October, 1753, also a Supplementary Act thereto, made at a Session of Assembly begun and held at the City of Annapolis, the third Day of February, 1756.

And your Committee take Leave to inform the Honourable House, That an Act, entituled, An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green, of the City of Annapolis, Printer, made at a Session of Assembly begun and held at the City of Annapolis the 23d Day of February, 1756, will expire the 20th Day of December next. And,

That the Act, For amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, made at a Session of Assembly begun and held at the City of Annapolis the second Day of October, 1753, will expire the first Day of December next.

All which is humbly submitted to the Consideration of the Honourable House.

Signed per Order, William Wilkins, Clerk.

Which was Read, and Ordered to lie on the Table.

Ordered, That Col. Hopper and Mr. Hanson do acquaint the Governor, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will receive it. They return and acquaint Mr. Speaker, That the Governor signified he would receive the Address in an Hour's Time, in the Conference Chamber. p. 37

Ordered, That Philip Hammond, Esq; with Five more, do present the Address.

On Motion, Leave given, to bring in a Bill to continue the Act, entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, and to continue the several Supplementary Acts thereto.

Ordered, That Mr. Key, Mr. Murdock, Mr. Dulany, Mr. Goldsborough and Mr. Williamson, do prepare and bring in a Bill to continue the Act, For amending the Staple of Tobacco, &c. and the several Supplementary Acts thereto. And Bills to continue the several Acts that would expire with the Close of this Session, mentioned in the Report brought in by Mr. Goldsborough this Day.

Mr. Goldsborough brings in, and delivers to Mr. Speaker, a Bill, entituled, An Act continuing an Act, entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees; also one other Act,

L. H. J. entituled, A Supplementary Act to the Act, entituled, An Act for
 Liber No. 51 amending the Staple of Tobacco, for preventing Frauds in his Maj-
 Nov. 24 esty's Customs, and for the Limitation of Officers Fees; also one
 other Act, entituled, An additional Supplementary Act to the Act,
 entituled, An Act for amending the Staple of Tobacco, for preventing
 Frauds in his Majesty's Customs, and for the Limitation of Officers
 Fees; and also one other Act, entituled, An Act for the Relief of
 Inspectors, and Owners of Tobacco, and Others, who have suffered
 by Means of extraordinary Rains, and high Tides, and other Defects
 in the Inspection Law.

Which was Read the first Time, and Ordered to lie on the Table.

On Reading the said Bill the second Time, by especial Order, the
 Question was put, That the said Bill do pass? Resolved in the
 Affirmative.

For the Affirmative,

Plater,	Dent,	Steuart,
Key,	Stoddert,	Murdock,
Greenfield,	Waggaman,	King,
Williamson,	Goldsborough,	Beall,
Tilden,	Edmondson,	Hopper,
Gresham,	Bowman,	T. Harris,
Hynson,	Sulivane,	Scarborough,
Gantt,	Travers	B. Harris,
—Fitzhugh,	Earle,	Chapline.
Hanson,	Dulany,	

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For the Negative,

Hammond,	Worthington,	J. H. Dorsey,
Gassaway,	Cockey Deye,	Owings.
Carroll,	Govane,	

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Which Bill was Indorsed, "Read the first and second Time, by an
 especial Order, and will pass."

The House adjourns till two of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment, &c.

On Motion, the Question was put, That this House do take into
 Consideration, on next Monday Afternoon, his Excellency the Governor's Speech, together with General Forbes's Letter? Resolved in
 the Negative.

For the Affirmative,

Key,	Edmondson,	T. Harris,
Tilden,	Bowman,	Scarborough,
Gresham,	Steuart,	B. Harris.
Goldsborough,	Waggaman,	

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For the Negative,	L. H. J. Liber No. 51 Nov. 24
Greenfield,	Hanson,
Williamson,	Dent,
Hynson,	Stoddert,
Hammond,	Sulivane,
Gassaway,	Travers,
Carroll,	Cockey Deye,
Worthington,	Govane,
Gantt,	J. H. Dorsey,
	23

On Motion, Resolved, That this House will, on Tuesday Morning next, being the 28th Instant, take into Consideration his Excellency the Governor's Speech, together with General Forbes's Letter.

The Bill, entituled, An Act continuing an Act, entituled, An Act for amending the Staple of Tobacco, &c. was sent to the Upper House by Mr. Murdock and Alexander Williamson, Esq;

His Excellency communicated to Mr. Speaker, the following Message, viz.

Gentlemen of the Lower House of Assembly,

p. 39

I was pleased to find by your Journal, that you did, at your last Meeting, make such a Resolve as is mentioned in your Address, and, as I apprehended it would give the General some Satisfaction, I took the Liberty to send him a Copy of it. I thank you for your Promise to take the Letter, which I have now laid before you under Consideration, and for the Hopes you give me, that you will, with Dispatch, proceed to do every Thing his Excellency can reasonably wish or expect from the Inhabitants of this Province.

Hor.^o Sharpe.

On Motion, Leave given, to bring in a Bill for the more effectual Destruction of Crows and Squirrels in Saint Mary's, Charles, Anne-Arundel, Calvert, Prince-George's, and Worcester Counties.

Ordered, That Mr. Key and Mr. Hanson do prepare and bring in the same.

Mr. Henry Wright Crabb, a Delegate of Frederick County, appeared in the House.

Ordered, That Capt. Chapline and Mr. King do go with him to the Upper House, to see him Qualified. They return and acquaint Mr. Speaker, That they saw him Qualified in the usual Manner.

The Gentleman took his Seat in the House.

Alexander Williamson, Esq; brings in and delivers to Mr. Speaker, a Bill, entituled, An Act continuing an Act, entituled, An Act for destroying Squirrels and Crows in the several Counties therein mentioned. And,

L. H. J.
Liber No. 51
Nov. 24 A Bill, entituled, An Act continuing an Act, entituled, An Act for the Relief of such Persons as cannot find Surety for their Appearance, to testify as a Witness against any Person arrested, accused, or prosecuted, for any Criminal Matter.

Which Bills were severally Read the first Time, and Ordered to lie on the Table.

Mr. Hanson hath Leave to go home.

The House adjourns till the Morrow Morning at 9 of the Clock.

Nov. 25

Saturday, 25 November, 1758.

p. 40 The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Mr. Hanson. The Proceedings were Read.

Philip Hammond, Esq; and Mr. Gantt, have Leave of Absence.

Mr. Ward and Mr. Mauldin appeared in the House.

Mr. Key brings in and delivers to Mr. Speaker, a Bill, entituled, An Act continuing an Act, entituled, an Act for Repairing the Public Roads in this Province; also the Supplementary Act thereto.

A Bill, entituled, An Act continuing an Act, entituled, An Act for the more effectual destroying of Squirrels and Crows in the Counties of Kent, Queen-Anne's, and Talbot; and for destroying Red Foxes in the same Counties.

A Bill, entituled, An Act continuing an Act, entituled, An Act to prevent disabled and superannuated Slaves being set free, or the Manumission of Slaves by any Last Will or Testament. And,

A Bill, entituled, An Act continuing an Act, entituled, An Act for ascertaining the Allowance of Petit Jurors attending the Provincial Court, to limit Costs with respect to Witnesses, and for settling their Allowance as to itinerant Charges.

Which Bills were severally Read the first Time, and Ordered to lie on the Table.

Mr. Murdoch, one of the Agents appointed by the several Acts for Raising Money for his Majesty's Service, brings in and delivers to Mr. Speaker, the several Accounts relating thereto; which were Ordered to lie on the Table.

The Bill, entituled, An Act continuing an Act, entituled, An Act for destroying Squirrels and Crows in the several Counties therein mentioned, was Read, and committed for Amendments.

The Bill, entituled, An Act continuing an Act, entituled, An Act for the Relief of such Persons as cannot find Surety for their Appearance, to testify as a Witness against any Person arrested, accused, or prosecuted, for any Criminal Matter, was Read the second Time, and will Pass.

The House adjourns till Monday Morning at 9 of the Clock.

Monday, 27 November, 1758.

L. H. J.
Liber No. 51
Nov. 27

The House met according to Adjournment: The Members were called, and all appeared as on Saturday, except Philip Hammond, Esq; and Mr. Murdock. The Proceedings were Read.

Mr. Lloyd, Mr. James John Mackall, Mr. Edward Dorsey, and Col. Cresap, appeared in the House.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

On Motion, the Question was put, That this House to send for Thomas Jenings, junior, to give Information as to a Fact, which is a Breach of Privilege of this House. Resolved Unanimously in the Affirmative.

Ordered, That the Serjeant at Arms do summon Mr. Thomas Jenings, junior, to attend at the Bar of this House immediately.

The Serjeant at Arms informed Mr. Speaker, That he had summoned Thomas Jenings, who accordingly appeared at the Bar of this House.

On Motion, the Question was put, That the Doors of this House be shut. Resolved in the Affirmative.

For the Affirmative,

Key,	Stoddert,	King,
Greenfield,	Sulivane,	Beall,
Williamson,	Cockey Deye,	Lloyd,
Hynson,	Govane,	Hopper,
Gassaway,	J. H. Dorsey,	T. Harris,
Carroll,	Owings,	B. Harris,
Worthington,	Earle,	E. Dorsey,
J. J. Mackall,	Ward,	Cresap,
Dent,	Mauldin,	Crabb.

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For the Negative,

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Plater,	Waggaman,	Dulany,
Tilden,	J. Goldsborough,	Steuart,
Gresham,	Edmondson,	Scarborough,
Gantt,	Bowman,	Chapline.
Fitzhugh,	Travers,	

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Ordered, That the Serjeant at Arms do summon Mr. Jonas Green, to attend at the Bar of this House immediately.

Mr. Benjamin Mackall, a Delegate of Calvert County, appeared in the House.

Ordered, That Mr. Gantt, and Col. Fitzhugh, do go with him to the Upper House to see him Qualified: They return and acquaint Mr. Speaker, That they saw him Qualified in the usual Manner.

L. H. J.
Liber No. 51
Nov. 27

The Gentleman took his Seat in the House.

On Motion, the House appointed Mr. Dulany, Mr. Earle, Mr. Lloyd, Alexander Williamson, Esq; Mr. Worthington, Mr. Hanson and Mr. Plater, a Committee to inspect the Accounts and Proceedings of the Commissioners, or Trustees, for emitting Bills of Credit, established by Act of Assembly.

The House adjourns till the Morrow Morning at 9 of the Clock.

Nov. 28

Tuesday, 28 November, 1758.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings of Yesterday were Read.

Philip Hammond, Esq; Mr. Purnell, Mr. Gibson, Mr. Baker and Col. Tilghman, appeared in the House.

The Order of the Day being Read; the House took into Consideration the Subject-Matter contained in his Excellency the Governor's Speech, together with General Forbes's Letter to the Governor: And

Resolved, That this House will, out of the first Supplies that shall be granted for his Majesty's Service, appropriate a Sum sufficient to Reimburse General Forbes what he may have advanced for the Pay, Victualling, and Cloathing, of the Troops formerly in the Pay of this Province, from the Time the Money granted for the Pay, Subsistence, and Cloathing of the said Men, was expended, till the Time the said Troops were taken into his Majesty's Service, so far as the same shall appear to this House to be just and reasonable.

p. 43 And it is further Resolved, That if it shall appear that General Forbes has not paid all the Money that may be due for the Pay, Victualling, and Cloathing of the said Men, from the Time the Money, granted for that Purpose, was expended, till the Time they were taken into his Majesty's Service, that then this House will make a Provision for what further Sum may be due for the Pay, Victualling, and Cloathing of the said Men.

Resolved, That this House will, out of the first Supplies that shall be granted for his Majesty's Service, appropriate a Sum sufficient to Reimburse General Forbes what he may have advanced, or shall advance, for the Pay and Cloathing of the Troops formerly in the Pay of this Province, and by him taken into his Majesty's Service, from the Time those Troops entered into the said Service, to the End of the present Campaign.

On Motion, the Question was put, Whether Provision be made for supporting and maintaining 300 Men, including the Men that have been raised by this Province, now under the Command of General Forbes, during the Winter, or more than 300 Men?

Resolved, That Provision be made for supporting and maintaining 300 Men, including the Men that have been raised by this Province, now under the Command of General Forbes, during the Winter.

L. H. J.
Liber No. 51
Nov. 28

For Three Hundred Men,

Greenfield,	Waggaman,	Steuart,
Hammond,	Goldsborough,	Beall,
Gassaway,	Edmondson,	—Lloyd,
Carroll,	—Gibson,	—E. Tilghman,
Worthington,	Travers,	Hopper,
J. J. Mackall,	Cackey Deye,	Scarborough,
B. Mackall,	J. H. Dorsey,	B. Harris,
Gantt,	Earle,	—Purnell,
Fitzhugh,	—Baker,	—E. Dorsey,
Stoddert,	—Mauldin,	—Cresap.

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For More Than Three Hundred Men,

Plater,	Dent,	Dulany,
Key,	Bowman,	King,
Williamson,	Sulivane,	Chapline,
Hynson,	Govane,	—Crabb,
Tilden,	Owings,	T. Harris.
Gresham,	—Ward,	

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On Motion, the Question was put, That the 300 Men to be supported by this Province, the ensuing Winter, for the Defence of the Frontier thereof, be stationed at Fort Frederick, to act as Rangers p. 44 for the Security and Protection of the Frontier Inhabitants. Resolved in the Affirmative.

For the Affirmative,

Greenfield,	Goldsborough,	Mauldin,
Williamson,	Edmondson,	King,
Hynson,	Bowman,	Beall,
Hammond,	Gibson,	Lloyd,
Gassaway,	Cockey Deye,	E. Tilghman,
Carroll,	Govane,	Scarborough,
Worthington,	J. H. Dorsey,	Purnell,
J. J. Mackall,	Owings,	Chapline,
Fitzhugh,	Earle,	E. Dorsey,
Waggaman,	Baker,	Crabb,
Stoddert,	Ward,	

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For the Negative,

Plater,	Gantt,	Steuart,
Key,	Dent,	Hopper,

L. H. J.	Tilden,	Sulivane,	T. Harris,
Liber No. 51 Nov. 28	Gresham,	Travers,	B. Harris,
	B. Mackall,	Dulany,	Cresap. 15

The Bill, entituled, An Act continuing an Act, entituled, An Act for the Relief of such Persons as cannot find Surety for their Appearance, to testify as a Witness against any Person arrested, accused, or prosecuted, for any Criminal Matter, was sent to the Upper House by Mr. Carroll and Mr. Key.

On Motion, Resolved, That out of the Supplies to be raised for his Majesty's Service, a sufficient Sum of Money be applied for Payment of the several Sums due to sundry Persons for Quartering his Majesty's Regular Forces.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

Mr. Sothoron appeared in the House.

On Motion, Ordered, That Col. Tilghman, Mr. Lloyd, Philip Hammond, Esq; Doctor Steuart, Mr. Carroll, and Mr. Edward Dorsey, do make an Estimate of what Sum of Money will be necessary to be raised for the Current Service of the Year, and Report the same to the House.

p. 45 Mr. Gresham is added to the Committee appointed to bring in the Bill, to continue the Act for destroying of Squirrels and Crows, &c.

The following Message,

By the Lower House of Assembly, November 28, 1758.

May it please your Honours,

This House hath appointed Mr. Dulany, Mr. Earle, Mr. Lloyd, Alexander Williamson, Esq; Mr. Worthington, Mr. Hanson, and Mr. Plater, a Committee from this House, to Inspect the Office and Proceedings of the Commissioners or Trustees for Emitting Bills of Credit, established by Act of Assembly; and desire your Honours to appoint one or more of the Members of your House to join in the said Committee.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House by Mr. Lloyd and Mr. Earle.

The House adjourns till the Morrow Morning at 9 of the Clock.

Nov. 29

Wednesday, 29 November, 1758.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

William Goldsborough, Esq; from the Upper House, delivers to Mr. Speaker, the Bill, entituled, An Act continuing an Act, entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, &c. Indorsed, "By the Upper House of Assembly, 29th November, 1758. Read the first and second Time by an especial Order, and will Pass.

L. H. J.
Liber No. 51
Nov. 29

Signed per Order, J. Ross, Cl. Up. Ho."

Which Bill was Read here, and Passed for Ingrossing.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, a Petition of the Reverend Mr. Archibald Spencer, and Others, injured by the Loss of the Inspection-House at Howard's Point in Anne-Arundel County, by Fire: And the Petition of Normand Bruce for John Glassford, Esq; and Company, and of many Others, Sufferers by the Loss of Llewellyn's Warehouse in St. Mary's County, by Fire; which Petitions were severally Indorsed, By p. 46 the Upper House of Assembly, 29th November, 1758. Read and Referred to the Consideration of the Lower House of Assembly.

Which Petitions were severally Read here, and Ordered to lie on the Table.

Col. Tasker, from the Upper House, delivers to Mr. Speaker, a Petition of the Reverend Mr. Thomas Bacon, Rector of Saint Peter's Parish in Talbot County; Indorsed, By the Upper House of Assembly, 29th November, 1758. Read and Referred to the Consideration of the Lower House of Assembly; which Petition was here Read, and Ordered to lie on the Table.

Mr. Lloyd brings in and delivers to Mr. Speaker, the following Report, viz.^t

By the Committee appointed to make an Estimate of what Sum of Money will be necessary to be Raised for the Current Service of the Year.

Your Committee, in Obedience to the Directions of the House, have agreed on the following Estimate, which is submitted to the Honourable House:

	£	s	d
For Reimbursing General Forbes the Money he advanced to Mr. Ross for Victualling the Soldiers that had been Enlisted in the Service of this Province, and the Money he advanced the said Men, the Payment of the Arrears due to them, and other Charges that have accrued on their Account, to the End of October last,.....	14000	0	0
For Quartering 500 Soldiers in the City of Annapolis during the last Winter,.....	1500	0	0

L. H. J. Liber No. 51 Nov. 29	£ s d
For Quartering Soldiers in Kent and Cæcil Counties, in the Years 1756 and 1757, according to the gross Amount of the Accounts delivered in, about	} 1400 0 0
Blankets, Shoes, Flannel Jackets, Breeches, and Stockings, to be found for the Men already En- listed, agreeable to General Forbes's Recom- mendation,	} 400 0 0
For the Pay and Subsistence of 3 Companies, con- sisting of 100 Men each, Officers included, for six Months,	} 5007 7 0
p. 47 For Cloathing of such Number of Men as may be Re- cruited, over and above those already Enlisted, viz. 1 Coat, 1 Pair Breeches, 1 Pair Stockings, 2 Shirts, 1 Hat, and 1 Pair Shoes,.....	} 600 0 0
For Bounty-Money, and other Expences, that may be necessary for Recruiting so many Men as may be wanting to make up 300 Men, including those Men already Enlisted, that may return from the Expedition against Fort Duquesne,.....	} 1500 0 0
For Pay and Subsistence for a Surgeon 6 Months,..	61 11 0
For Ditto for a Gun-Smith for Ditto,.....	30 0 0
Hospital and Medicines,.....	76 10 0
For Blankets and Bedding for the Men to be Raised,.	400 0 0
	<hr/> 24,975 8 10

To Charges in striking the above Money, and Commissions to Sundries, &c. &c.

Signed per Order, Basil Dorsey, junior, Clerk of said Committee.

Which was Read, and Ordered to lie on the Table.

Col. Lloyd, from the Upper House, delivers to Mr. Speaker, the Bill, entituled, An Act continuing an Act entituled, An Act for the Relief of such Persons as cannot find Surety for their Appearance, to testify as a Witness against any Person arrested, accused, or prosecuted, for any Criminal Matter, Indorsed, By the Upper House of Assembly, 29th November, 1758. Read the first and second Time, by an especial Order, and will Pass.

Signed per Order, J. Ross, Cl. Up. Ho.

Which Bill was Read here, and passed for Ingrossing.

On Reading the second Time, the Report brought in this Day by Mr. Lloyd, from the Committee appointed to make an Estimate of what Sum may be necessary to be raised, &c.

Resolved, That the Sum of 30000 l. be raised to be applied for his Majesty's Service.

L. H. J.
Liber No. 51
Nov. 29

On Motion, the Question was put, That this House do Resolve itself into a Committee of the whole House to consider of Ways and Means for raising the Sum of 30000 l. for his Majesty's Service. Resolved in the Negative.

For the Affirmative,

Key,	Waggaman,	Purnell.	p. 48
Sothoron,	Steuart,		
Gresham,	B. Harris,		7

For the Negative,

Plater,	Stoddert,	Mauldin,
Greenfield,	Goldsborough,	Dulany,
Williamson,	Edmondson,	King,
Hynson,	Bowman,	Beall,
Tilden,	Gibson,	Lloyd,
Hammond,	Sulivane,	E. Tilghman,
Gassaway,	Travers,	Hopper,
Carroll,	Cockey Deye,	T. Harris,
Worthington,	Govane,	Scarborough,
J. J. Mackall,	J. H. Dorsey,	Chapline,
B. Mackall,	Owings,	E. Dorsey,
Gantt,	Earle,	Cresap,
Fitzhugh,	Baker,	Crabb.
Dent,	Ward,	

41

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

Mr. Key brings in, and delivers to Mr. Speaker, an ingrossed Bill, entitled, An Act continuing an Act, entitled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees; also one other Act, entitled, A Supplementary Act to the Act, entitled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees; also one other Act, entitled, An additional Supplementary Act to the Act, entitled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees; and also one other Act, entitled, An Act for the Relief of Inspectors, and Owners of Tobacco, and Others, who have suffered by Means of extraordinary Rains, and high Tides, and other Defects in the Inspection-Law; which was Read and Assented to, and sent to the Upper House with the Paper Bill, by Mr. Benjamin Mackall and Major Travers.

L. H. J.
Liber No. 51
Nov. 29

On Motion, the Question was put, That the Sum of £30000 be raised by an equal Assessment on all Estates real and personal, and lucrative Offices and Employments. Resolved in the Affirmative.

p. 49

For the Affirmative,

Williamson,	Sulivane,	Beall,
Hynson,	Cockey Deye,	Lloyd,
Hammond,	Govane,	E. Tilghman,
Gassaway,	J. H. Dorsey,	Hopper,
Carroll,	Owings,	T. Harris,
Worthington,	Earle,	Chapline,
J. J. Mackall,	Baker,	E. Dorsey,
Gantt,	Ward,	Cresap.
Dent,	Mauldin,	
Stoddert,	King,	

28

For the Negative,

Plater,	Waggaman,	Steuart,
Key,	Goldsborough,	Scarborough,
Sothonor,	Edmondson,	B. Harris,
Greenfield,	Bowman,	Purnell,
Tilden,	Gibson,	Crabb.
Gresham,	Travers,	
B. Mackall,	Dulany,	

19

On Motion, Leave given to bring in a Bill, for raising the Sum of £30000 for his Majesty's Service, by an equal Assessment, on all Estates real and personal, and lucrative Offices and Employments.

Ordered, That Col. Tilghman, Mr. Edward Dorsey, Mr. Hammond, Mr. Lloyd, Mr. Carroll, Mr. Harris and Mr. Williamson, do prepare and bring in the same.

The Bill, entitled, An Act continuing an Act, entitled, An Act for the more effectual destroying of Squirrels and Crows in the Counties of Kent, Queen-Anne's and Talbot; and for destroying Red Foxes in the said Counties, was Read the second Time, and will pass.

Mr. Lloyd hath Leave of Absence.

The House adjourns till the Morrow Morning at 9 of the Clock.

Nov. 30

Thursday, 30 November, 1758.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

On Motion, Leave given, to bring in a Bill to direct and appoint Mrs. Sabina Rrigbie, Relict of Mr. William Rumsey, late of Cæcil

County, deceased, to account with the Justices of said County for the Monies they received, to be applied for the Use of the said County:

L. H. J.
Liber No. 51
Nov. 30

Ordered, That Mr. Earle, Mr. Baker, Mr. Ward, Mr. Mauldin, p. 50 and Mr. Key, do prepare and bring in the said Bill.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, the Paper Bill, entituled, An Act continuing an Act, entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, &c. Indorsed By the Upper House of Assembly, 29th November, 1758. The Ingrossed Bill, whereof this is the Original, is Read and Assented to.

Signed per Order, J. Ross, Cl. Up. Ho.

On Motion, the Question was put, Whether Mr. Edmund Key, in Debate Yesterday, on Appointment of a Committee for Draught of a Supply Bill for his Majesty's Service, made Use of the Word Indolent reflecting on some Gentlemen appointed by the House to that Duty, or Not? Resolved in the Affirmative.

Mr. Key being called upon to explain himself with Relation to the Word reflecting on the Gentlemen appointed, confessed that the Word dropped from him thro' Inadvertency, without any Design to reflect upon the House, or any Member thereof. Which Submission the House consented to accept, and waved all further Proceeding thereon.

Col. Lloyd, and Col. Tasker, from the Upper House, acquaint Mr. Speaker, That the Governor requires the Attendance of the Lower House immediately in the Upper House.

Mr. Speaker left the Chair, and (with the Rest of the Members of the Lower House) went to the Upper House, and presented to his Excellency the Governor, the ingrossed Bill, entituled, An Act continuing an Act, entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees; also one other Act, entituled, A Supplementary Act to the Act, entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees; also one other Act, entituled, An additional Supplementary Act to the Act, entituled An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees; and also one other Act, entituled, An Act for the Relief of Inspectors, and Owners of Tobacco, and Others, who have suffered by Means of extraordinary Rains, and high Tides, and other Defects in the Inspection-Law; which his Excellency passed into a Law in the usual Form.

p. 51

L. H. J.
Liber No. 51
Nov. 30

Mr. Speaker Returned (with the Rest of the Members) to the Lower House, and Reassumed the Chair.

Mr. Key brings in and delivers to Mr. Speaker, a Bill, entituled, An Act for Destroying Squirrels and Crows in particular Counties; which was Read the first Time, and Ordered to lie on the Table.

A Petition of Henry Woodward, of the City of Annapolis, complaining of an undue Election and Return of Dr. George Steuart for a Delegate of the said City, by the Mayor and Aldermen, was preferred to this House; which was Read the first Time, and Ordered to lie on the Table.

A Petition of the Mayor and Aldermen of the City of Annapolis, was preferred to this House; which was Read the first Time, and Ordered to lie on the Table.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

Mr. Murdock and Mr. Samuel Wilson appeared in the House.

Mr. Levin Gale, a Delegate of Somerset County, appeared in the House.

Ordered, That Major Waggaman, and Mr. Wilson, do go with him to the Upper House to see him Qualified: They return and acquaint Mr. Speaker, That they saw him Qualified in the usual Manner.

The Gentleman took his Seat in the House.

On Reading the second Time the Petition of Mr. Henry Woodward, the Question was put, That this House will not again take under their Consideration the Validity of any of those Votes that were either allowed or disallowed at the last Convention after a full Hearing of the Council, the Evidence and Arguments relative to them, on the former Petition of Mr. Henry Woodward against Dr. George Steuart, a Citizen Returned to serve for the City of Annapolis. Resolved in the Negative.

For the Affirmative,		
Greenfield,	B. Mackall,	Mauldin,
Williamson,	Dent,	King,
Hynson,	Stoddert,	Beall,
Hammond,	Cockey Deye,	Lloyd,
Gassaway,	J. H. Dorsey,	E. Tilghman,
Carroll,	Owings,	T. Harris,
Worthington,	Earle,	E. Dorsey,
J. J. Mackall,	Baker,	Cresap.

24

For the Negative,

Plater,	Gale,	Dulany,
Key,	Goldsborough,	Murdock,
Sothonon,	Edmondson,	Hopper,

Tilden,	Bowman,	Scarborough,	L. H. J.
Gresham,	Gibson,	B. Harris,	Liber No. 51
Gant,	Sulivane,	Purnell,	Nov. 30
Fitzhugh,	Travers,	Chapline,	
Waggaman,	Govane,	Crabb.	
Wilson,	Ward,		26

The House adjourns till the Morrow Morning at 9 of the Clock.

Friday, 1 December, 1758.

Dec. 1

The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Mr. Lloyd. The Proceedings were Read.

Mr. Thomas Harris and Mr. Benjamin Mackall, have Leave of Absence.

On Motion, Ordered, That an Hearing on the Petition of Mr. Henry Woodward be had at the Bar of this House on Monday Afternoon, being the 11th Instant.

Ordered, That Lists of the controverted Votes shall be mutually exchanged between Henry Woodward the Petitioner, and Doctor George Steuart, on Monday the 4th Instant, by Twelve of the Clock before Noon, with the particular Objections which they intend to insist upon, set against the Name of each Person whose Vote they intend to dispute; and that such Lists shall be respectively confined to such Voters as were objected to at the Time of their giving their respective Votes.

Ordered, That the Petitioner, and the Sitting Member, have Summons for all such Witnesses as they shall have Occasion to produce on the Trial, on their Application to the Clerk of this House for the same.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

Mr. King hath Leave of Absence.

Mr. Waters appeared in the House.

On Motion, Leave given, to bring in a Bill for Enlarging the Jurisdiction of the County Courts in Chancery Causes:

Ordered, That Mr. Wilson, Col. Tilghman, Mr. Edward Dorsey, Mr. Charles Goldsborough, Mr. Carroll, and Mr. Key, do prepare and bring in the same.

On Motion, Leave given, to bring in a Bill To obtain and issue Writs of Replevin out of the County Courts of this Province:

Ordered, That Col. Tilghman, Mr. Edward Dorsey, Mr. Charles Goldsborough, Mr. Carroll, and Mr. Lloyd, do prepare and bring in the same.

L. H. J. On Motion, the Question was put, That the following Question
 Liber No. 51 be now put, viz. That this House do Resolve, That out of the next
 Dec. 1 Supplies to be granted, to make a Provision for paying such of the Inhabitants of this Province as have, in Consequence of the Governor's Request, Garrisoned the Forts in this Province, since the Forces that have been raised by this Province, have been taken by General Forbes from the said Forts on an Expedition against Fort Duquesne; and also that this House will make a Provision for paying the Inhabitants of this Province for Provisions and other Necessaries, which they have supplied for the Use of the said Men, who Garrisoned the said Forts, and for the Expence of the Carriage of such Provisions and other Necessaries. Resolved in the Negative.

For the Affirmative,

Plater,	Waggaman,	Cresap,
Key,	Dulany,	Crabb.
Tilden,	E. Dorsey,	8

p. 54

For the Negative,

Williamson,	Waters,	Ward,
Hynson,	Goldsborough,	Mauldin,
Gresham,	Edmondson,	Steuart,
Hammond,	Bowman,	Murdock,
Gassaway,	Gibson,	King,
Carroll,	Sulivane,	Beall,
Worthington,	Travers,	Tilghman,
J. J. Mackall,	Cockey Deye,	Hopper,
Gantt,	Govane,	Scarborough,
Fitzhugh,	J. H. Dorsey,	B. Harris,
Dent,	Owings,	Purnell,
Stoddert,	Earle,	Chapline.
Wilson,	Baker,	38

On Motion, the Question was put, That the following Question be now put, viz. That this House do Resolve, That out of the next Supplies to be granted, to make a Provision for paying such of the Inhabitants of this Province as have, in Consequence of the Governor's Request, marched from any of the Counties of this Province, for the Defence of the Frontiers of this Province, since the March of General Braddock from Frederick-Town, in Frederick County, or garrisoned the Forts in this Province, since the Forces that have been raised by this Province, have been taken by General Forbes from the said Forces on an Expedition against Fort Duquesne; also, that this House will make a Provision for paying the Inhabitants of this Province, for Provisions and other Necessaries, which they have supplied for the Use of the said Men, who have marched as afore-

said, or garrisoned the said Forts, and for the Expence of the Carriage of such Provisions and other Necessaries. Resolved in the Negative.

L. H. J.
Liber No. 51
Dec. 1

For the Affirmative,

Plater,	Fitzhugh,	Steuart,
Key,	Wilson,	Chapline,
Tilden,	Govane,	Cresap,
Gresham,	Dulany,	Crabb.

12

For the Negative,

Williamson,	Goldsborough,	Mauldin,
Hynson,	Edmondson,	Murdock,
Hammond,	Bowman,	King,
Gassaway,	Gibson,	Beall,
Carroll,	Sulivane,	Tilghman,
Worthington,	Travers,	Hopper,
J. J. Mackall,	Cockey Deye,	Scarborough,
Gantt,	J. H. Dorsey,	B. Harris,
Dent,	Owings,	Purnell,
Stoddert,	Earle,	E. Dorsey.
Waggaman,	Ward	
Waters,	Baker,	

34

On Motion, the further Consideration of the proposed Resolves p. 55
is referred till Tuesday Sev'nnight next, being the Twelfth Instant.

Mr. Greenfield, Mr. Plater, and Mr. Kay, have Leave of Absence.

The Bill, entituled, An Act for Destroying Squirrels and Crows in particular Counties, was Read the second Time, and committed for Amendments.

Mr. Wilson is added to the Committee appointed for preparing the Bill, For Destroying Squirrels and Crows in particular Counties.

The House adjourns till the Morrow Morning at 9 of the Clock.

Saturday, 2 December, 1758.

Dec. 2

The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Mr. Key, Mr. Greenfield, Mr. T. Harris, Mr. B. Mackall, and Philip Hammond, Esq; The Proceedings were Read.

Mr. Edmondson, Mr. J. H. Dorsey, Mr. Govane, Mr. Cockey Deye, Mr. Goldsborough, Mr. Bowman, Mr. Owings, Mr. J. J. Mackall, Mr. Gantt, Mr. Gresham, Mr. Sotheron and Mr. Gale, have Leave of Absence.

Col. Fitzhugh hath Leave to be absent till next Wednesday.

L. H. J.
Liber No. 51
Dec. 2

Mr. Murdock is added to the Committee to draw the Supply Bill.

Col. Tasker, from the Upper House, delivers to Mr. Speaker, the following Message, viz.

By the Upper House of Assembly, 2 December, 1758.

Gentlemen,

This House hath appointed Benedict Calvert, Esq; to join the Members named by your House in a Committee to inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office.

Signed per Order J. Ross, Cl. Up. Ho.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

The House adjourns till Monday Morning at 9 of the Clock.

Dec. 4

Monday, 4 December, 1758.

The House met according to Adjournment: The Members were called, and all appeared as on Saturday, except Mr. Edmondson, Mr. J. H. Dorsey, Mr. Govane, Mr. Cockey Deye, Mr. J. Goldsborough, Mr. Bowman, Mr. J. J. Mackall, Mr. Gantt, Mr. Gresham, Mr. Sothoron, Mr. Gale, Col. Fitzhugh, Mr. Dulany and Mr. Crabb. The Proceedings were Read.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

The House adjourns till the Morrow Morning at 9 of the Clock.

Dec. 5

Tuesday, 5 December, 1758.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Philip Hammond, Esq; and Mr. Thomas Harris, appeared in the House.

On Motion, Leave given, to bring in a Bill for securing the Estates of Purchasers and Others, claiming by or from Protestant Aliens:

Ordered, That Mr. Edward Dorsey do prepare and bring in the same.

On Motion, Ordered, That Leave be given to Mr. Henry Woodward to exchange Lists of the controverted Votes at the late Election for the City of Annapolis, with Doctor George Steuart, by Twelve of the Clock this Day, with the particular Objections which he intends to insist upon, set against the Name of each Person whose Vote he intends to dispute; and that such Lists shall be confined to such Voters as were objected to at the Time of their giving their respective Votes.

On Motion, Leave given, to bring in a Bill for Trial of all Matters of Fact, in the several Counties where they have arisen or shall arise:

L. H. J.
Liber No. 51
Dec. 5

Ordered, That Major Waggaman, Mr. Wilson, and Col. Tilghman, do prepare and bring in the same.

Mr. Dorsey brings in and delivers to Mr. Speaker, a Bill, entituled, An Act for securing the Estates of Purchasers and Others, claiming by or from Protestant Aliens; which was Read the first Time, and p. 57 Ordered to lie on the Table.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment, &c.

Mr. Dulany appeared in the House.

The House adjourns till the Morrow Morning at 9 of the Clock.

Wednesday, 6 December, 1758.

Dec. 6

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Major Waggaman brings in and delivers to Mr. Speaker, a Bill, entituled, An Act for Trial of all Matters of Fact, in the several Counties where they have arisen or shall arise; which was Read the first Time, and Ordered to lie on the Table.

William Goldsborough, Esq; from the Upper House, delivers to Mr. Speaker, a Petition of John Anderson, of the City of Annapolis; and a Petition of several of the Inhabitants on South River in Anne-Arundel County; severally Indorsed; By the Upper House of Assembly, 5th December, 1758. Read and Referred to the Consideration of the Lower House of Assembly.

Which Petitions were severally Read here, and Ordered to lie on the Table.

The Bill, entituled, An Act continuing an Act, entituled, An Act for the more effectual destroying of Squirrels and Crows in the Counties of Kent, Queen-Anne's, and Talbot; and for destroying Red Foxes in the said Counties, was sent to the Upper House by Col. Hopper and Mr. Tilden.

On Motion, Ordered, That an Address be prepared to his Excellency, to request that he will be pleased to acquaint this House with the Sum of Money advanced by General Forbes, for the Troops formerly in the Pay of this Province, and the Application thereof. And that Mr. Dorsey and Col. Tilghman do prepare and bring in the same.

Mr. Dorsey brings in and delivers to Mr. Speaker, an Address to the Governor; which was Read, Approved, and Ordered to be Ingrossed.

- L. H. J.
Liber No. 51
Dec. 6
- Mr. Dorsey brings in and delivers to Mr. Speaker, the following Ingrossed Address, viz.^t
- p. 58 To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland:
The humble Address of the House of Delegates.

May it please your Excellency,

As this House are now framing a Bill for Raising the Supplies for his Majesty's Service, and the Security of this Province, we humbly request your Excellency will be pleased to acquaint us with the Amount and Application of the Sum advanced by General Forbes, on Account of the Troops formerly in the Pay of this Province, that Provision may be made for the Repayment of the same.

Which was Read and Assented to, and Signed, by Order of the House, by the Honourable Speaker.

Ordered, That Col. Scarborough and Mr. Baker do acquaint the Governor, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will receive it. They return and acquaint Mr. Speaker, That the Governor signified he would be ready to receive the Address in the Afternoon in the Conference Chamber.

On Motion, Ordered, That the Clerks and Registers of the several Public Offices, make out and deliver forthwith to the Committee appointed to Inspect those Offices, fair and compleat Lists of all the Record Books belonging to their Offices respectively, in proper Order of Time, noting against each Book the general Contents thereof.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.
Mr. Lloyd appeared in the House.

Ordered, That Mr. Dorsey, with Five more, do present the Address to the Governor.

The Bill, entituled, An Act for the Security of Purchasers and Others, claiming by or from Protestant Aliens.

p. 59 And the Bill, entituled, An Act continuing an Act, entituled, An Act to prevent disabled and superannuated Slaves being set free, or the Manumission of Slaves by any Last Will or Testament.

Were severally Read the second Time, and will Pass; and were sent to the Upper House by Mr. Sulivane and Mr. Waters.

On Motion, Leave given, to bring in A Supplementary Bill to an Act, entituled, An Act for Limitation of certain Actions, for avoiding Suits at Law:

Ordered, That Mr. Wilson do prepare and bring in the same.

Col. Hopper hath Leave of Absence.

The House adjourns till the Morrow Morning at 9 of the Clock.

Thursday, 7 December, 1758.

L. H. J.
Liber No. 51
Dec. 7

The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Col. Hopper. The Proceedings were Read.

Mr. King appeared in the House.

The Governor communicated to Mr. Speaker, the following Message, viz.

Gentlemen of the Lower House of Assembly,

Before General Forbes left Shippensburg, he advanced our Officers Two Thousand Four Hundred Pounds, the greatest Part of which Sum was paid away by them at Fort Frederick, for Cloathing and other Necessaries, which the Soldiers had been furnished with in Pursuance of the General's Order. I have Reason to believe that his Excellency hath advanced them Money since that Time, for similar Purposes; but how large a Sum he has been pleased to supply them with, I have not been yet able to learn. The Sum drawn for in the Bills of Exchange which were paid to Doctor Ross by the General's Order, to enable him to satisfy the People, to whom he was indebted for some of the Provisions that had been delivered to the Maryland Forces before they joined the King's Troops, and to the friendly Indians on our Frontiers, amounted, I think, to Two Thousand Seven Hundred Pounds, Fifteen Shillings, and Eight Pence Sterling.

7th December, 1758.

Hor.^o Sharpe.

Mr. Wilson brings in and delivers to Mr. Speaker, a Bill, entituled, A Supplementary Act to an Act, entituled, An Act for Limitation of certain Actions, for avoiding Suits at Law; which was Read the first Time, and Ordered to lie on the Table. p. 60

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

On Motion, Ordered, That the Committee of Accounts do not receive any Accounts for Public Claim after Friday Sev'nnight next, being the 15th Instant.

Ordered, That the Committee of Accounts do close the Journal of Accounts on Monday Sev'nnight next, being the 18th Instant.

The House adjourns till the Morrow Morning at 9 of the Clock.

Friday, 8 December, 1758.

Dec. 8

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Mr. Gresham and Mr. Gale appeared in the House.

The House adjourns till 2 of the Clock.

L. H. J.
Liber No. 51
Dec. 8

Post-Meridiem. The House met according to Adjournment, &c.
Mr. John Hammond Dorsey appeared in the House.
Mr. Waggaman hath Leave of Absence.

Ordered, That Mr. Beall and Mr. Gale be added to the Committee for inspecting the Accounts and Proceedings of the Commissioners of the Paper Currency Office.

The House adjourns till the Morrow Morning at 9 of the Clock.

Dec. 9

Saturday, 9 December, 1758.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Philip Hammond, Esq; brings in and delivers to Mr. Speaker a Bill, entitled, An Act for granting a Supply of for his Majesty's Service, and the more immediate Defence and Security of the Frontier Inhabitants of this Province, and Emitting

thereof, in Bills of Credit, and raising a

p. 61 Fund for sinking and replacing the Whole, by an equal Assessment, on all Estates Real and Personal, and Lucrative Offices and Employments; which was Read the first Time, and Ordered to lie on the Table.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment, &c.

On Motion, Ordered, That the following Discourse and Words be entered on the Journal, viz. It being related by a Member, That whilst the Supply Bill was Reading this Morning, Mr. Speaker ordered the Serjeant to desire the Gentlemen in the Porch to walk in, and Mr. Wilson, one of the Members then in the Porch, desired the Serjeant to give his Service (or Compliments) to Mr. Speaker, and tell him, That I am Tired with hearing so much Nonsense.

On Motion, Ordered, That the Consideration of the Words spoken by Mr. Wilson be Referred till Tuesday next.

On Motion, Ordered, That the following Discourse and Words be entered on the Journal, viz. It being related by a Member to the House, That on the first Reading of the Supply Bill, Mr. Speaker asked the Patience of the House a few Minutes and left the Chair, upon which Mr. Wilson, one of the Members of this House, entered into a bantering Conversation with Mr. Sulivane, another Member, about taking the Chair; at the Close of which, he turned towards Mr. Hammond, a Member of this House, and said, Here's Mr. Hammond had the Chair once, and Forfeited it; upon which Mr. Hammond said to Mr. Wilson, Forfeited it! how? which Expression he repeated; to which Mr. Wilson replied smilingly, I suppose you don't want me to explain myself.

On Motion, Ordered, That the Consideration of the Words spoken by Mr. Wilson be Referred till Tuesday next.

L. H. J.
Liber No. 51
Dec. 9

The House adjourns till Monday Morning at 9 of the Clock.

Monday, 11 December, 1758.

Dec. 11

The House met according to Adjournment: The Members were called, and all appeared as on Saturday. The Proceedings were Read.

p. 62

Mr. Edmondson, Mr. Bowman, Mr. Govane and Mr. Key, appeared in the House.

An ingrossed Bill, entituled, An Act continuing an Act, entituled, An Act for the Relief of such Persons as cannot find Surety for their Appearance, to testify as a Witness against any Person arrested, accused, or prosecuted, for any Criminal Matter; was Read and Assented to.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

Mr. J. J. Mackall, Mr. Gantt, Mr. Plater and Col. Fitzhugh, appeared in the House.

On Reading the second Time the Bill, entituled, An Act for Trial of all Matters of Fact, in the several Counties where they have arisen or shall arise.

The Question was put, That the said Bill do pass. Resolved in the Affirmative.

For the Affirmative,

Plater,	Wilson,	Baker,
Key,	Edmondson,	Ward,
Williamson,	Bowman,	Mauldin,
Hynson,	Gibson,	Lloyd,
Tilden,	Sulivane,	E. Tilghman,
Gresham,	Travers,	Scarborough,
Stoddert,	Cockey Deye,	T. Harris,
Waggaman,	J. H. Dorsey,	B. Harris,
Gale,	Owings,	Purnell.
Waters,	Earle,	

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For the Negative,

Hammond,	Fitzhugh,	Chapline,
Gassaway,	Govane,	E. Dorsey,
Carroll,	Steuart,	Cresap,
Worthington,	Murdock,	Crabb.
J. J. Mackall,	King,	
Gantt,	Beall,	

16

L. H. J. On Resolution of the aforegoing Question, the said Bill was
 Liber No. 51 Indorsed, Read the second Time, and will Pass.
 Dec. 11

On Reading the second Time the Bill, entituled, An Act for de-
 stroying Squirrels and Crows in particular Counties, the Question
 was put, That all the Counties in this Province, except Kent, Queen-
 p. 63 Anne's, and Talbot, be inserted in the said Bill. Resolved in the
 Affirmative.

For the Affirmative,

Plater,	Bowman,	T. Harris,
Williamson,	Gibson,	Scarborough,
Hynson,	Govane,	B. Harris,
Hammond,	Baker,	Purnell,
Gassaway,	Mauldin,	Chapline,
Carroll,	Murdock,	E. Dorsey,
Worthington,	King,	Cresap,
Fitzhugh,	Beall,	Crabb.
Stoddert,	Lloyd,	
Edmondson,	E. Tilghman,	

28

For the Negative,

Key,	Waters,	Owings,
Tilden,	Sulivane,	Gale,
Gresham,	Travers,	Earle,
Gantt,	Cockey Deye,	Ward,
Waggaman,	J. H. Dorsey,	Steuart.

15

The Question was put, That the said Bill do Pass. Resolved in
 the Affirmative.

For the Affirmative,

Plater,	Gale,	Steuart,
Tilden,	Wilson,	Murdock,
Gresham,	Waters,	Scarborough,
Hammond,	Bowman,	Purnell,
Gassaway,	Gibson,	Chapline,
Carroll,	Govane,	E. Dorsey,
Worthington,	Earle,	Cresap,
Gantt,	Baker,	Crabb.
Fitzhugh,	Ward,	
Waggaman,	Mauldin,	

28

For the Negative,

Key,	Sulivane,	King,
Williamson,	Travers,	Beall,
Hynson,	Cockey Deye,	Lloyd,
Stoddert,	J. H. Dorsey,	E. Tilghman,
Edmondson,	Owings,	T. Harris.

[15]

On Resolution of the foregoing Question, the said Bill was Indorsed, Read the second Time, and will Pass.

L. H. J.
Liber No. 51
Dec. 11

The Order of the Day being Read; the Petition of Mr. Henry Woodward was Referred for Consideration on Thursday next.

Ordered, That the Petition of Mr. Henry Woodward be heard at the Bar of this House on Thursday Morning next, being the 14th Instant.

On Motion, Resolved, That the House do take into Consideration, on the Morrow Morning, the Word spoke by Mr. Wilson on Saturday last.

The House adjourns till the Morrow Morning at 9 of the Clock.

Tuesday, 12 December, 1758.

Dec. 12

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

p. 64

Col. Hopper and Mr. Greenfield appeared in the House.

The Order of the Day being Read; Mr. Wilson was called upon to explain the Words by him spoken to the Serjeant, relative to Mr. Speaker and the House, on Saturday last.

Mr. Wilson addressed himself to the Chair, and having finished his Motion, was ordered to withdraw.

On Motion, the previous Question being put and determined, the following Question was put, Whether the Words spoke by Mr. Wilson to the Serjeant, who, on the Reading of the Supply-Bill on Saturday last, was ordered by Mr. Speaker to desire the Gentlemen in the Porch to walk in, viz. [Give my Service (or Compliments) to Mr. Speaker, and tell him, That I am tired with hearing so much Nonsense] deserve the Censure of the House, or Not? Resolved in the Affirmative.

For the Affirmative,

X Williamson,	Travers,	Beall,
Hynson,	Cockey Deye,	Lloyd,
Hammond,	T. Harris,	Tilghman,
Gassaway,	Govane,	Hopper,
Carroll,	J. H. Dorsey,	Chapline,
J. J. Mackall,	Owings,	E. Dorsey,
Gantt,	Earle,	Cresap.
Stoddert,	Murdock,	
Sulivane,	King,	

25

For the Negative,

Plater,	Gale,	Dulany,
Key,	Waters,	Steuart,
Greenfield,	Edmondson,	Scarborough,

L. H. J. Liber No. 51 Dec. 12	Tilden, Gresham, Worthington, Fitzhugh, Waggaman,	Bowman, Gibson, Baker, Ward, Mauldin,	B. Harris, Purnell, Crabb.
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22

Ordered, That Mr. Wilson be called in; who appeared, and addressed himself to Mr. Speaker, and confessed that he had no Intention to Reflect upon Mr. Speaker, or any Member of the House, by those Words.

Mr. Wilson was ordered to withdraw.

On Motion, the Question was put, That Mr. Wilson be admonished by the Speaker, to be for the future more guarded and circumspect in his Expressions and Conduct relative to the Orders from the Chair, and the Proceedings of the House. Resolved in the Affirmative.

p. 65 Ordered, That Mr. Wilson be called in.

Mr. Speaker acquainted Mr. Wilson, That the House accepted his Submission, and admonished him according to the Resolution of the House.

Col. Tasker, from the Upper House, delivers to Mr. Speaker, a Petition of Thomas Rutland, of Anne-Arundel County, Indorsed; By the Upper House of Assembly, 7th December, 1758. Read and Referred to the Consideration of the Lower House of Assembly.

Which Petition was here Read, and Ordered to lie on the Table.

The Bill, entitled, An Act for Trial of all Matters of Fact, in the several Counties where they have arisen or shall arise; And,

The Bill, entitled, An Act for Destroying Squirrels and Crows in particular Counties;

Were sent to the Upper House, by Mr. Lloyd and Mr. Beall.

Upon Mr. Wilson's being called upon to explain the Words spoken by him of a Member of this House on Saturday last, the previous Question being put and determined, the Question was put, That Mr. Wilson be allowed to justify the Words he had spoken of Mr. Hammond, a Member of this House, by relating a private Transaction between the said Hammond and another Person, in Relation to their private Affairs. Resolved in the Negative.

For the Affirmative,

Plater, Key, Tilden, Gresham, Fitzhugh,	Waggaman, Gale, Waters, Edmondson, Bowman,	Gibson, Steuart, Scarborough, B. Harris, Purnell.
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15

For the Negative,		L. H. J. Liber No. 51 Dec. 12
Greenfield,	Travers,	King,
Williamson,	Cockey Deye,	Beall,
Hynson,	Govane,	Lloyd,
Gassaway,	J. H. Dorsey,	Tilghman,
Carroll,	Owings,	Hopper,
Worthington,	Earle,	T. Harris,
J. J. Mackall,	Baker,	Chapline,
Gantt,	Ward,	E. Dorsey,
Stoddert,	Mauldin,	Cresap,
Sulivane,	Murdock,	Crabb.

30

The House adjourns till Half an Hour past Two of the Clock.
 Post-Meridiem. The House met according to Adjournment, &c.
 On Motion, Mr. Wilson was ordered to withdraw, which he accordingly did.

On motion, the Question was put, That the following Question ^{p. 66} be put, viz. Whether this House will suffer any of its Members to mention the State of the Case, in considering of the Words, viz. (Here's Mr. Hammond had the Chair once, and forfeited it), spoke by Mr. Wilson, against Mr. Hammond, to make good the Truth thereof, or Not? Resolved in the Negative.

For the Affirmative,		
Plater,	Fitzhugh,	Edmondson,
Key,	Waggaman,	Bowman,
Tilden,	Gale,	Gibson,
Gresham,	Waters,	

For the Negative,		
Greenfield,	Govane,	Lloyd,
Williamson,	J. H. Dorsey,	Tilghman,
Hynson,	Owings,	Hopper,
Gassaway,	Earle,	T. Harris,
Carroll,	Baker,	B. Harris,
Worthington,	Ward,	Purnell,
J. J. Mackall,	Mauldin,	Chapline,
Gantt,	Dulany,	E. Dorsey,
Stoddert,	Steuart,	Cresap,
Sulivane,	Murdock,	Crabb.
Travers,	King,	
Cockey Deye,	Beall,	

34

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker, the Bill, entitled, An Act continuing an Act, entitled, An

L. H. J. Act to prevent disabled and superannuated Slaves being set free, or
 Liber No. 51 the Manumission of Slaves by any Last Will or Testament; And,
 Dec. 12

The Bill, entituled, An Act continuing an Act, entituled, An Act for the more effectual destroying of Squirrels and Crows in the Counties of Kent, Queen-Anne's and Talbot; and for destroying Red Foxes in the said Counties;

Severally Indorsed, By the Upper House of Assembly, 11th December, 1758. Read the second Time and will Pass.

Signed p Order, J. Ross, Cl. Up. Ho.

Which Bills were severally Read here, and passed for Ingrossing.

And a Petition of the Visitors of the School established by Law for Saint Mary's County; Indorsed, By the Upper House of Assembly, 12th December, 1758. Read and Referred to the Consideration of the Lower House of Assembly.

Upon Consideration of the whole Matter relative to the Words
 p. 67 spoken by Mr. Wilson, the Question was put, That Mr. Wilson ask the Pardon of the House, and that of Mr. Hammond, the Member they particularly Reflected on.

For the Affirmative,

Williamson,	Cockey Deye,	Beall,
Hynson,	Govane,	Lloyd,
Gassaway,	J. H. Dorsey,	Tilghman,
Carroll,	Owings,	T. Harris,
J. J. Mackall,	Earle,	Chapline,
Gantt,	Baker,	E. Dorsey,
Sulivane,	Mauldin,	Cresap.
Travers,	King,	

23

For the Negative,

Plater,	Waggaman,	Steuart,
Key,	Gale,	Murdock,
Greenfield,	Waters,	Hopper,
Tilden,	Edmondson,	Scarborough,
Gresham,	Bowman,	B. Harris,
Worthington,	Gibson,	Purnell,
Fitzhugh,	Ward,	Crabb.
Stoddert,	Dulany,	

23

The House being Divided on this Question, the same was Determined in the Affirmative by the Honourable Speaker.

Upon the Determination of the aforesaid Question, Resolved, That Mr. Wilson be called in, and that Mr. Speaker acquaint him with the Resolution of this House.

Mr. Wilson was called in; and on his Appearance Mr. Speaker acquainted him with the Resolution of the House.

L. H. J.
Liber No. 51
Dec. 12

Upon which Mr. Wilson addressed himself to Mr. Speaker, and said, That he would readily ask the Pardon of the House; but that Mr. Hammond was a Person of so very infamous a Character, and guilty of so many Vices, that he could not suffer his Lips to belie his Heart, and therefore hoped the House would excuse him from asking his Pardon; which Words were order to be taken down by the Clerk.

Mr. Wilson was ordered to withdraw; which he accordingly did.

Ordered, That Mr. Wilson be again called in; who being asked by Mr. Speaker, if he would comply with the Resolve of the House, he desired the Indulgence of the House, with Time to consider upon the Matter, and to have a Copy of the Resolution of the House thereon; which was accordingly given him, and the Time he prayed for granted.

Mr. Wilson was again called in, and was asked by Mr. Speaker, if he would comply with the Resolution of the House, with which he had before been acquainted; who replied, he had Reflected upon what he had before acquainted Mr. Speaker be determined to submit to, and that he could not recede therefrom.

p. 68

Mr. Wilson desired the Indulgence of the House to retire; and that he would return again in a few Minutes.

The House gave him Leave to retire.

Mr. Wilson again appeared, and delivered the following Words in Writing, viz.^t

Mr. Speaker,

I am obliged to you for informing me of the Determination of the House upon this Occasion, and am sorry that any Expression of mine should give either Trouble or Offence to the House. I observe, that Part of the Censure is, that I should ask the Pardon of the House, with which I could readily comply; but as to asking the Pardon of Mr. Hammond, I look upon him to be a Person of so very infamous a Character, and charged with so many Vices, that I cannot suffer my Lips to belie my Heart, and therefore hope the House will excuse me from asking his Pardon.

Mr. Wilson was ordered to withdraw.

Thereupon it was moved, That the Resolution of the House be enforced; and the Question was put, That Mr. Wilson be committed to the Custody of the Serjeant at Arms attending this House, and to remain in his Custody until he comply with the Order of the House. Resolved in the Affirmative.

Ordered, That Mr. Wilson be again called; who appeared.

Ordered, That Mr. Wilson be committed to the Custody of the Serjeant at Arms attending this House; who accordingly was com-

L. H. J. mitted to the Custody of the Serjeant at Arms, to remain in Custody
 Liber No. 51 until he complies with the Order of the House.
 Dec. 12

The Consideration of making Provision for paying such of the Inhabitants of this Province as have, in Consequence of the Governor's Request, marched from any of the Counties of this Province, for the Defence of the Frontiers of this Province, since the March of General Braddock from Frederick-Town in Frederick County, or Garrisoned the Forts in this Province since the Forces that have p. 69 been raised by this Province, have been taken by General Forbes from the said Forts on an Expedition against Fort Duquesne; and also that this House will make a Provision for paying the Inhabitants of this Province for Provisions and other Necessaries, which they have supplied for the Use of the said Men, who have marched as aforesaid, or garrisoned the said Forts; and for the Expence of the Carriage of such Provisions and other Necessaries; was further Referred for Consideration on the Morrow.

The House adjourns till the Morrow Morning at 9 of the Clock.

Dec. 13

Wednesday, 13 December, 1758.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

On the previous Question being now put and determined, the Question was put, That this House do Resolve, That out of the next Supplies to be granted, to make a Provision for paying such of the Inhabitants of this Province as have, in Consequence of the Governor's Request, marched from any of the Counties of this Province, for the Defence of the Frontiers of this Province, since the March of General Braddock from Frederick-Town in Frederick County, or Garrisoned the Forts of this Province since the Forces that have been raised by this Province, have been taken by General Forbes from the said Forts on an Expedition against Fort Duquesne; and also that this House will make a Provision for paying the Inhabitants of this province for Provisions and other Necessaries, which they have supplied for the Use of the said Men, who have marched as aforesaid, or garrisoned the said Forts; and for the Expence of the Carriage of such Provisions and other Necessaries. Resolved in the Affirmative.

For the Affirmative,

Plater,	Sulivane,	Hopper,
Key,	Govane,	T. Harris,
Greenfield,	Owings,	Scarborough,
Williamson,	Baker,	B. Harris,
Hynson,	Mauldin,	Purnell,

Gresham,	Dulany,	Chapline,	L. H. J.
Waggaman,	Steuart,	E. Dorsey,	Liber No. 51
Gale,	Murdock,	Cresap,	Dec. 13
Waters,	King,	Crabb.	
Gibson,	Beall,		29

For the Negative, p. 70

Tilden,	Gantt,	J. H. Dorsey,
Hammond,	Stoddert,	Earle,
Gassaway,	Edmondson,	Ward,
Carroll,	Bowman,	Lloyd,
Worthington,	Travers,	Tilghman.
J. J. Mackall,	Cockey Deye,	17

William Goldsborough, Esq; from the Upper House, delivers to Mr. Speaker, a Petition of the late Inhabitants of Nova-Scotia, dispersed through this Province; Indorsed, By the Upper House of Assembly, 12th December, 1758. Referred to the Consideration of the Lower House of Assembly.

On Motion, the House proceeded in the Reading of the Supply-Bill the second Time, and Referred the same to be further proceeded on Afternoon.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

Mr. Benjamin Mackall appeared in the House.

The Order of the Day being Read; the House proceeded in the second Reading of the Supply-Bill, and Referred the same till the Morrow Morning, to be further proceeded on.

The House adjourns till the Morrow Morning at 9 of the Clock.

Thursday, 14 December, 1758.

Dec. 14

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Mr. Hanson appeared in the House.

Major Waggaman hath Leave of Absence.

The Governor communicated to Mr. Speaker, the following Message, viz.

Gentlemen of the Lower House of Assembly,

It is with great Pleasure I inform you, that Lieutenant-Colonel Dagworthy is just arrived from Fort Duquesne, and brings me an Account, that his Majesty's Troops, under the Command of his Excellency Brigadier-General Forbes, took Possession of that Place p. 71 the 25th of last Month; the Enemy's Troops that were in Garrison

L. H. J. there, having abandoned it Two Days before and gone off; some of
 Liber No. 5¹
 Dec. 14 them up the Ohio towards Canada, and the Rest down the River
 towards the Mississippi; and I most heartily Congratulate you on
 this happy Event.

13th December, 1758.

Hor.^o Sharpe.

On Motion, Ordered, That a Congratulatory Address be prepared and presented to his Excellency the Governor, in Answer to his Message of this Day:

Ordered, That Col. Tilghman, Philip Hammond, Esq; Mr. Murdock, Mr. Edward Dorsey, and Mr. Carroll, do prepare and bring in the same.

On Motion, Leave given, to bring in A Supplementary Bill to the Act for amending the Staple of Tobacco, &c.

Ordered, That Col. Tilghman, Mr. Key, and Mr. Dorsey, do prepare and bring in the same.

The Order of the Day being Read; the House proceeded further in the second Reading of the Supply Bill, and in Progression thereof, on Motion, the Question was put, That the Papists and Non-Jurors be doubly Taxed in the Supply Bill, unless they take the Oaths prescribed by the Statute of the first Year of the Reign of King William and Queen Mary. Resolved in the Affirmative.

X

For the Affirmative,

Williamson,	Dent,	Murdock,
Hynson,	Stoddert,	King,
Tilden,	Edmondson,	Beall,
Gresham,	Sullivan,	Lloyd,
Hammond,	Travers,	Tilghman,
Gassaway,	Cockey Deye,	Scarborough,
Carroll,	Govane,	B. Harris,
Worthington,	Owings,	Chapline,
J. J. Mackall,	Earle,	Cresap.
Gantt,	Baker,	
Hanson,	Mauldin,	

31

For the Negative,

Greenfield,	Steuart,	E. Dorsey,
Waters,	Hopper,	
J. H. Dorsey,	T. Harris,	

7

The Supply Bill was Read, and committed for Amendments.
 The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.
 Mr. Purnell hath Leave of Absence.

On Motion, That a Committee be appointed to enquire into the Convenience of clearing a Road from Fort Frederick to Fort Cumberland, through this Province, and to make an Estimate of the Expence;

L. H. J.
Liber No. 51
Dec. 14
p. 72

Ordered, That Col. Cresap, Mr. Crabb, Mr. Chapline, Mr. E. Dorsey, Mr. Beall, and Mr. King, be a Committee for that Purpose, and that they do make Report thereof to the House on the Morrow.

On Motion, Leave given, to bring in a Bill for Reducing the Allowances of the Members of the Upper and Lower Houses of Assembly, the Judges of the High Court of Appeals and Errors, and Provincial Justices;

Ordered, That Mr. Govane, Mr. Murdock, Mr. Key, Mr. J. H. Dorsey, Mr. Cockey Deye, and Mr. Owings, do prepare and bring in the same.

The Order of the Day being Read; the House Referred the Hearing of the Petition of Mr. Henry Woodward until the Morrow.

Ordered, That the Petition of Mr. Henry Woodward be heard at the Bar of this House on the Morrow.

The House adjourns till the Morrow Morning at 9 of the Clock.

Friday, 15 December, 1758.

Dec. 15

The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Major Waggaman. The Proceedings were Read.

Mr. Benton Harris hath Leave of Absence.

The Order of the Day being Read; the Hearing of the Petition of Mr. Henry Woodward was Referred till Monday Morning next.

Ordered, That an Hearing on the Petition of Mr. Henry Woodward be had at the Bar of this House on Monday Morning next, being the 18th Instant.

Mr. Murdock brings in and delivers to Mr. Speaker, an Address to his Excellency the Governor; which was Read, and Ordered to lie on the Table.

Col. Tilghman brings in and delivers to Mr. Speaker, the following Report, viz.^t

By the Committee of Grievances and Courts of Justice, December the 15th, 1758.

Your Committee, in Compliance with that Branch of their Duty which requires them to Inspect the Commissions made out to, and Oaths taken by, the several Magistrates within this Province, have examined the Records of the Provincial and Anne-Arundel County Courts, and do find, That the Oath taken by the Justices of those Courts, are agreeable to the Form of an Oath of Judge or Justice

p. 73

L. H. J. prescribed by an Act of Assembly of this Province, entituled, An
 Liber No. 51 Act for ascertaining the Form of the Oath of Judge or Justice,
 Dec. 15 made in the Year Seventeen Hundred and Thirty-two: And that
 the Commissions are made out conformable thereto.

Which is submitted to the Consideration of the Honourable House.

Signed p Order, William Wilkins, Clerk.

Which was Read, and Ordered to lie on the Table.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

The Address to his Excellency was Read, Approved, and Ordered to be Ingrossed.

Mr. Murdock brings in and delivers to Mr. Speaker, the following Ingrossed Address, viz.^t

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland:

The humble Adress of the House of Delegates.

May it please your Excellency,

We received with the greatest Pleasure, the Information your Excellency has been pleased to give us of the Reduction of Fort Duquesne, by his Majesty's Troops, under the Command of Brigadier-General Forbes. Be pleased, Sir, to accept our Congratulations upon this happy Event; and permit us, with Hearts warmed with unfeigned Loyalty, to express our ardent Wishes, that the like Success may attend his Majesty's Arms, wheresoever employed in the glorious Cause of Liberty, and the Protestant Religion.

Which was Read and Assented to, and Signed, by Order of the House, by the Honourable Speaker.

Ordered, That Col. Hopper and Mr. Govane do acquaint his Excellency the Governor, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will receive it. They return and acquaint Mr. Speaker, That the Governor signified he would receive the Address in an Hour's Time in the Conference Chamber.

p. 74 Ordered, That Col. Fitzhugh, with Five more, do present the Address to the Governor.

Col. Cresap brings in and delivers to Mr. Speaker, the following Report, viz.

By the Committee appointed to enquire into the Conveniences of Clearing a Road from Fort Frederick to Fort Cumberland, through this Province, and to make an Estimate of the Expenses of the same.

Your Committee have made an Enquiry into the Situation of the present Waggon-Road from Fort Frederick to Fort Cumberland, and are of Opinion, that the Distance by that Road from one

Fort to the other, is at least Eighty Miles ; and find that the Waggons, which go from one Fort to the other, are obliged to pass the River Patowmack twice ; and that for one Third of the Year they can't pass without Boats to set them over the River.

L. H. J.
Liber No. 51
Dec. 15

Your Committee have also made an Enquiry into the Condition of the Ground, where a Road may more conveniently be made through Maryland, from one Fort to the other, and are of Opinion, that a good Waggon Road may be made to go altogether on the North Side of Patowmack, which will not exceed the Distance of Sixty-two Miles, at the Expence of Two Hundred and Fifty Pounds Current Money, as may appear from the following Estimate, viz.

An Estimate of the Expence of Clearing a Road from Fort Frederick to Fort Cumberland, and the several different Stages.

For clearing a Road from Fort Frederick to Licking-Creek, $3\frac{1}{2}$ Miles,.....	£. 0 0 0
From Licking-Creek to Poake's Creek, $8\frac{1}{2}$ Miles,.....	12 0 0
From Poake's Creek to the Mouth of Sidling-Hill-Creek, 12 Miles,.....	16 0 0
For a Bridge over Sidling-Hill-Creek,.....	60 0 0
From Sidling-Hill-Creek to Fifteen-Mile Creek, 4 Miles,	22 0 0
From Fifteen-Mile Creek to Town-Creek, 15 Miles,...	140 0 0
From Town-Creek to Col. Cresap's a good Road 4 Miles,	0 0 0
From Col. Cresap's to Fort Cumberland wants no clearing 15 Miles,.....	0 0 0
	£. 250 0 0

Your Committee are of Opinion, that a Road through Maryland will contribute much to lessen the Expence of carrying Provisions and Warlike Stores from Fort Frederick to Fort Cumberland ; and will induce many People to travel and carry on a Trade in and through this Province, to and from the Back Country.

p. 75

All which is humbly submitted to the Consideration of the Honourable House.

Signed p Order, Basil Dorsey, junior, Clerk.

Which was Read, and Ordered to lie on the Table.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, the Bill, entitled, An Act for Destroying Squirrels and Crows in particular Counties; Indorsed, By the Upper House of Assembly, 15th December, 1758. Read the second Time, and will Pass.

Signed per Order, J. Ross, Cl. Up. Ho.

L. H. J.
Liber No. 51
Dec. 15

Which Bill was Read here, and passed for Ingrossing.

On reading and considering the Report brought in by Col. Cresap this Day, Resolved, That a Sum not exceeding £250 be applied for clearing a Road from Fort Frederick to Fort Cumberland, and that Provision be made for that Purpose in the Supply Bill.

On Motion, Resolved, That a Sum not exceeding £6000 be applied for making Provision for such of the Inhabitants of this Province as have marched from any of the Counties thereof, for the Defence of the Frontiers, so far as such Claims shall appear reasonable to this House, and that Provision be made for that Purpose, in the Supply Bill.

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker, the Bill, entituled, An Act for Trial of all Matters of Fact, in the several Counties where they have arisen or shall arise; Indorsed, By the Upper House of Assembly 12th December 1758 Read the first Time and ordered to lye on the Table and Thus By the Upper House of Assembly, 15th December, 1758. Read the second Time, and will not Pass.

Signed p Order, J. Ross, Cl. Up. Ho.

On Reading the second Time, the Petition of the Visitors of the School established by Law for Saint Mary's County, the same was Granted. And,

Ordered, That Mr. Gale, Mr. Plater, and Mr. Key, do prepare and bring in a Bill according to the Prayer of the Petitioners.

The House adjourns till the Morrow Morning at 9 of the Clock.

Dec. 16

Saturday, 16 December, 1758.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Mr. King, Mr. Waters, Mr. Murdock, Mr. Beall, Mr. Gantt,
Col. Cresap, Col. Scarborough, and Mr. Gale, have Leave of Absence.

On Reading the second Time the Bill, entituled, An Act for granting a Supply of £36,000 for his Majesty's Service, and the more immediate Defence and Security of the Frontier Inhabitants of this Province, and Emitting Twenty-four Thousand Pounds thereof, in Bills of Credit, and raising a Fund for sinking and replacing the Whole, by an equal Assessment, on all Estates Real and Personal, and Lucrative Offices and employments, the Question was put, That the said Bill do Pass. Resolved in the Affirmative.

For the Affirmative,

Williamson,
Hynson,
Hammond,

Stoddert,
Sulivane,
Cockey Deye,

Murdock,
King,
Beall,

Gassaway,	Govane,	Lloyd,	L. H. J.
Carroll,	J. H. Dorsey,	Tilghman,	Liber No. 51
Worthington,	Owings,	Hopper,	Dec. 16
J. J. Mackall,	Earle,	T. Harris,	
Gantt,	Baker,	Chapline,	
Hanson,	Ward,	E. Dorsey,	
Dent,	Mauldin,	Cresap.	30

For the Negative,

Plater,	Gale,	Steuart,	
Key,	Waters,	Scarborough,	
Greenfield,	Edmondson,	B. Harris,	
Tilden,	Bowman,	Purnell,	
Gresham,	Gibson,	Crabb.	
B. Mackall,	Travers,		
Fitzhugh,	Dulany,		19

Which said Bill was indorsed, Read the second Time, and will Pass, and was sent to the Upper House by Philip Hammond, Esq; and Twenty-nine more.

The Bill, entituled, An Act continuing an Act for ascertaining the Allowance of Petit Jurors, &c. was Read and committed for Amendments.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

On Reading the second Time the Petition of the Reverend Mr. Thomas Bacon, proposing to Publish a revised Copy of the Laws of this Province;

Ordered, That Mr. Dulany, Mr. Hammond, Mr. Dorsey, Col. Tilghman, Mr. Carroll, Mr. Murdock, Mr. Key, Col. Fitzhugh, and Dr. Steuart, be a Committee to examine into the Proposals made by the said Thomas Bacon, and set forth in his said Petition, and make Report thereof to the House.

The House adjourns till Monday Morning at 9 of the Clock.

Monday, 18 December, 1758.

Dec. 18

The House met according to Adjournment: The Members were called, and all appeared as on Saturday, except Mr. Benton Harris, Mr. Purnell, and Mr. King. The Proceedings were Read.

Mr. Tilden, Mr. Gibson, and Col. Travers, have Leave of Absence.

The Order of the Day being Read; on Motion, the Question was put, That the Hearing of the Petition of Mr. Henry Woodward be Referred until next Session. Resolved in the Negative.

L. H. J.
Liber No. 51
Dec. 18

For the Affirmative,	Edmondson, Bowman, Gibson, Travers,	Govane, Dulany, Scarborough.
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11

For the Negative,	Worthington, Carroll, Waters, Sulivane, Cockey Deye, J. H. Dorsey, Owings, Earle, Baker,	Ward, Mauldin, Beall, Lloyd, Chapline, Hopper, E. Tilghman, E. Dorsey,
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[26]

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

On Motion, the Question was put, That the following Question be now put, viz. That this House Remit that Part of the Censure of Mr. Wilson relative to Mr. Hammond. Resolved in the Negative.

For the Affirmative,	Gale, Edmondson, Bowman, Gibson,	Ward, Dulany, Steuart, Scarborough.
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12

p. 78

For the Negative,	Dent, Stoddert, Sulivane, Cockey Deye, Govane, J. H. Dorsey, Owings, Earle, Baker, Mauldin,	Murdock, Beall, Lloyd, Tilghman, Hopper, T. Harris, Chapline, E. Dorsey, Cresap, Crabb.
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30

On Motion, the Question was put, That the Order of the Day be proceeded on. Resolved in the Affirmative.

The Order of the Day being Read; Ordered, That the Petition of Mr. Henry Woodward be now Read and that the Petitioner, and the Sitting Member, be now heard at the Bar of this House by their Council.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, an Account of Mr. James Johnson Indorsed, By the Upper House of Assembly, Read and Referred to the Consideration of the Lower House of Assembly.

L. H. J.
Liber No. 51
Dec. 18

Which was Read here, and Ordered to lie on the Table.

Col. Hammond, from the Upper House, delivers to Mr. Speaker, the Bill, entitled, An Act for Granting Supply of Thirty-six Thousand Pounds for his Majesty's Service, &c. Indorsed, By the Upper House of Assembly, 16th December, 1758. Read the first Time, and Ordered to lie on the Table.

And thus, By the Upper House of Assembly, 18th December, 1758. Read the second Time, and will not Pass.

Signed p Order, J. Ross, Cl. Up. Ho.

On Hearing the Petition of Mr. Henry Woodward, the Question was put, That the Council at the Bar be permitted to offer any Arguments to the House against receiving Negative Proof, to disqualify a Voter who swore at the Time of Polling at the last Election for the City of Annapolis, That he was worth £ .20 Sterling. Resolved in the Negative.

For the Affirmative,

Williamson,	Edmondson,	Key,
Gresham,	Bowman,	Scarborough,
B. Mackall,	Gibson,	Crabb,
Fitzhugh,	Sulivane,	Chapline.
Gale,	Dulany,	

14

For the Negative,

Greenfield,	Dent,	Ward,
Hynson,	Stoddert,	Murdock,
Hammond,	Cockey Deye,	Beall,
Gassaway,	Govane,	Lloyd,
Carroll,	J. H. Dorsey,	Tilghman,
Worthington,	Owings,	Hopper,
J. J. Mackall,	Earle,	T. Harris,
Gant,	Baker,	E. Dorsey,
Hanson,	Mauldin,	Cresap.

27

The House having proceeded to an Hearing on the Petition of Mr. Henry Woodward, and after Examination of Witnesses relative to the Facts therein contained, Referred the same for Consideration on the Morrow.

Ordered, That the Petition of Mr. Henry Woodward be heard at the Bar of this House on the Morrow Morning, being the 19th Instant.

The House adjourns till the Morrow Morning at 9 of the Clock.

L. H. J.
Liber No. 51
Dec. 19

Tuesday, 19th December, 1758.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Mr. Tilden and Mr. Waters. The Proceedings were Read.

Mr. Govane brings in and delivers to Mr. Speaker, a Bill, entituled, An Act for Reducing the Allowances of the Councillors, Deputies and Delegates that shall serve in the General Assembly, the Judges of the Court of Appeals, and the Commissioners of the Provincial Court of this Province.

The Order of the Day being Read; the House proceeded to an Hearing on the Petition of Mr. Henry Woodward; and, on Motion, the Question was put, That John Inch be sworn generally. Resolved in the Affirmative.

For the Affirmative,

Plater,	Stoddert,	Mauldin,
Key,	Gale,	Dulany,
Williamson,	Edmondson,	Murdock,
Hynson,	Bowman,	Beall,
Gresham,	Gibson,	Hopper,
J. J. Mackall,	Sulivane,	Chapline,
B. Mackall,	Govane,	Crabb.
Fitzhugh,	Baker,	
Hanson,	Ward,	

25

For the Negative,

Greenfield,	Dent,	Tilghman,
Hammond,	Cockey Deye,	T. Harris,
Gassaway,	J. H. Dorsey,	E. Dorsey,
Carroll,	Owings,	Cresap.
Worthington,	Earle,	
Gantt,	Lloyd,	

[16]

On Motion, the Question was put, That the following Question be put, viz. That this House will consider any Objections that were not made at the Time of the Electors Polling, or confine it to the Objections appearing on the Face of the Polls. Resolved in the Negative.

For the Affirmative,

Plater,	Gale,	Dulany,
Key,	Edmondson,	Hopper,
Gresham,	Bowman,	Chapline,
B. Mackall,	Gibson,	Crabb.
Fitzhugh,	Govane,	

14

For the Negative,		L. H. J. Liber No. 51 Dec. 19
Greenfield,	Hanson,	Ward,
Williamson,	Dent,	Mauldin,
Hynson,	Stoddert,	Murdock,
Hammond,	Sulivane,	Beall,
Gassaway,	Cockey Deye,	Lloyd,
Carroll,	J. H. Dorsey,	Tilghman,
Worthington,	Owings,	T. Harris,
J. J. Mackall,	Earle,	E. Dorsey,
Gantt,	Baker,	Cresap.

27

On Motion, Unanimously Resolved, That in the Case of a controverted Election, if from Evidence given at the Bar, the House should suspect, that Bribery and Corruption have been made Use of in that Election, the House will proceed to examine into and consider the same, though not made an Objection against a Voter on the Lists exchanged by the contending Parties.

The House, after the Examination of several Witnesses at the Bar, relative to the Facts contained in the Petition of Mr. Henry Woodward, Referred the same for Consideration in the Afternoon.

Ordered, That the Petition of Mr. Henry Woodward be heard at the Bar of this House at Half an hour past Two of the Clock Afternoon.

The House adjourns till Half an Hour past 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

The Order of the Day being Read; the House proceeded to an Hearing on the Petition of Mr. Henry Woodward.

Col. Hammond and Col. Tasker, from the Upper House, acquainted Mr. Speaker, that the Governor requires the Attendance of the Lower House immediately in the Upper House.

Mr. Speaker left the Chair, and (with the Members of the Lower House) went to the Upper House, where his Excellency made the following Speech, viz.^t

Gentlemen of the Upper and Lower Houses of Assembly,

In Consequence of an Intimation from the Lords of Trade and Plantations, the Right Honourable Lord Proprietary hath commanded me to recommend it to you, to agree and prepare a Bill for obliging the Masters of all Vessels that shall come to this province, through the Capes of Virginia, to pay a Duty of Two Pence Sterling a Ton, towards building a Light-House on Cape-Henry, and keeping p. 81 a Light therein, the said Duty to commence from the Time that a similar Act shall be made by the Legislature of Virginia for the same Purpose; and the Amount thereof, or a Part of it, to be expended and paid Annually, in Proportion to what shall be expended

L. H. J. and applied every Year out of the Money that shall be received
 Liber No. 51
 Dec. 19 from the Masters of Vessels trading to Virginia.

I must also recommend it to you to grant a Sum of Money at this Time, for the Support of some French Prisoners that were lately brought into this Province, and of any others that may be brought hither until they can be sent to some French Port, in exchange for an equal Number of Sailors, or until I have an Opportunity of shipping them to Great-Britain.

Mr. Speaker (with the Rest of the Members) returned to the Lower House, and re-assumed the Chair.

His Excellency the Governors Speech was Read, and Ordered to lie on the Table.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, a Petition of John Paca, Robert Adair, Gentlemen, and Margaret Paca, Widow, Executors of the Testament and last Will of John Paca, junior, late of Baltimore County, Gentleman, deceased; and the Petition of James Mathews, of Baltimore County, late Press-Master; severally Indorsed, By the Upper House of Assembly, 19th December, 1758. Read and Referred to the Consideration of the Lower House of Assembly.

Which Petitions were severally Read here, and Ordered to lie on the Table.

On the Hearing of the Petition of Mr. Henry Woodward, the Question was put, Whether Mr. James Heath had a Right to Vote at the late Election for the City of Annapolis, or Not? Resolved in the Negative.

For the Affirmative,

Plater,	Bowman,	Dulany,
Key,	Gibson,	Murdock,
Gresham,	Sulivane,	Hopper,
Fitzhugh,	Govane,	Chapline,
Gale,	Earle,	Crabb.
Edmondson,	Ward,	

17

For the Negative,

Greenfield,	B. Mackall,	Baker,
Williamson,	Gantt,	Beall,
Hynson,	Hanson,	Lloyd,
Hammond,	Dent,	Tilghman,
Gassaway,	Stoddert,	T. Harris,
Carroll,	Cockey Deye,	E. Dorsey,
Worthington,	J. H. Dorsey,	Cresap.
J. J. Mackall,	Owings,	

23

Mr. Gresham hath Leave to go home.

L. H. J.
Liber No. 51
Dec. 19
p. 82

Mr. Carroll brings in and delivers to Mr. Speaker, a Bill, entituled, An Act for the Keeping a Public Warehouse for Inspecting Tobacco at the Land of Ease on South River.

The House having proceeded to an Hearing of the Petition of Mr. Henry Woodward, and after the Examination of Witnesses at the Bar, Referred the same for further Consideration on the Morrow Morning.

Ordered, That the Petition of Mr. Henry Woodward be heard at the Bar of this House on the Morrow Morning, after the Call of the House.

The House adjourns till the Morrow Morning at 9 of the Clock.

Wednesday, 20th December, 1758.

Dec. 20

The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Col. Scarborough. The Proceedings were Read.

The Bill, entituled, An Act for keeping a Public Warehouse for Inspecting Tobacco at the Land of Ease on South River, was Read the first and second Time by an especial Order, and will Pass; and was sent to the Upper House by Mr. Carroll and Doctor Steuart.

The Order of the Day being Read; the House proceeded to an Hearing on the Petition of Mr. Henry Woodward; and, on Motion, the previous Question being put and determined, the Question was put, That the Petitioner be allowed to give Evidence to Disqualify a Voter, whose Vote was not taken down on the Poll at the Time of Election, and now admitted to be proved to have been omitted to be taken down. Resolved in the Affirmative.

On Motion, That John Charlette's Vote be inserted on the Poll, which was omitted to be taken at the late Election for the City of Annapolis. Resolved in the Affirmative.

The House having proceeded to an Hearing on the Petition of Mr. Henry Woodward, Referred the same for further Consideration in the Afternoon.

Ordered, That the Petition of Mr. Henry Woodward be heard at the Bar of this House, after the Call of the House Afternoon.

The House adjourns till Half an Hour past Two of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment, &c. p. 83

The Order of the Day being Read; the House proceeded to an Hearing of the Petition of Mr. Henry Woodward.

Col. Tilghman brings in and delivers to Mr. Speaker, the following Report, viz.^t

L.H.J. By the Committee appointed to consider the Proposals in the
 Liber No. 51 Petition of the Reverend Mr. Bacon, and Report their Opinion
 Dec. 20 thereupon.

Saturday, December 16th, 1758. 3 o'Clock the Committee met.

The Committee desired Mr. Bacon to propose to them, the Sum for which he would undertake to deliver 18 Bodies of Laws, &c. compleated agreeable to his said Proposals; and also the Price he would agree to be limited to in the Sale of his Copies; which he promised to do on Monday Morning next; to which Time the Committee then adjourned.

Monday, the 18th December, 1758. A. M. the Committee met.

Mr. Bacon proposed to the Committee, to deliver the said Eighteen Bodies of Laws, for the Use of the Public, for £. 300 Currency.

The Price of each Copy to Subscribers advancing one Half as usual in such Cases to be Forty Shillings Currency.

Upon Consideration of which Proposals, and the whole Matter referred to them by the Honourable House, your Committee humbly Report it as their Opinion, that the Publication of a Body of Laws of this Province, in the Manner proposed by the Petitioner, would be of great and general Utility.

That three Gentlemen be nominated and appointed by Law (of whom any two, with the Assistance of the Petitioner, and all his Abstracts and Papers relative to the Matter, to act), to inspect carefully all the Records of the Laws of this Province, and to consider what are in Force, or proper to be inserted, or any Way to be taken Notice of in the said Body.

That the Petitioner's Proposals to deliver Eighteen Copies of the said Body, for £300 Currency, is, in the Opinion of your Committee, reasonable, provided they be delivered within 18 Months from the Time the Original may receive the Approbation of the Gentlemen to be nominated as aforesaid.

That the Price to Subscribers wou'd be better ascertained when the Work is compleated, as the Number of Sheets it may contain can at present be only guessed at.

Your Committee humbly crave Leave further to Report it as their Opinion, That there be a Clause in any Bill which the Honourable House may think proper to have fram'd, for the carrying on and p. 84 compleating the aforesaid Design, declaring, that all Laws heretofore made, and more especially such, the Force or Existence whereof have been any Ways questioned or disputed, shall remain, continue, and be in the same State and Condition, to all intents, Constructions, and Purposes whatsoever, as if the said Body had not been collected, compiled and published; and that no Law whatever, or any Part thereof, shall be repealed, abrogated, or made null or void, or receive any additional Force or Strength, thereby.

All which is humbly submitted to the Consideration of the Honourable House.

L. H. J.
Liber No. 51
Dec. 20

Signed per Order, Basil Dorsey, junr. Clerk said Committee.

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker, the Petitions of Languishing Prisoners in the several County Goals in this Province; Indorsed, "By the Upper House of Assembly, Referred to the Consideration of the Lower House of Assembly."

Which Petitions were here Read, and Granted.

Col. Tasker, from the Upper House, delivers to Mr. Speaker, the Bill, entituled, An Act for the Security of Purchasers and Others, claiming by or from Protestant Aliens; Indorsed, "By the Upper House of Assembly, 6th December 1758. Read the first Time and ordered to lye on the Table" and thus "By the Upper House of Assembly 20th December, 1758." Read the second Time, and will not Pass; And,

The Bill, entituled, An Act for the keeping a Public Warehouse for Inspecting Tobacco at the Land of Ease on South River; Indorsed, By the Upper House of Assembly, 20th December, 1758. Read the first and second Time, by an especial Order, and will Pass.

Signed p Order, J. Ross, Cl. Up. Ho.

Which Bill was Read here, and passed for Ingrossing.

On Motion, Leave given, to bring in a Bill for the Relief of sundry languishing Prisoners in several County Goals in this Province;

Ordered, That Col. Tilghman, and Mr. Edward Dorsey, do prepare and bring in the same.

Upon Progression in Hearing the Petition of Mr. Henry Woodward, the Petitioner having disqualified the Votes of Col. Benjamin Tasker, Walter Batt, Henry Weedon, Robert Martin, Richard Ford, Lawrence Maynard, James Heath, and of John Laidler, on the Sitting Member's Poll, and the Sitting Member having added one Vote to his Poll, and the Polls being even: The Council, for both the Petitioner and the Sitting Member, informed the House, that both Parties declined giving the House any further Trouble in this Controversy, and were willing and desirous that the late Election of Citizens for the City of Annapolis, so far as it concerns them, should be declared Void. p. 85

Upon Consideration whereof, it is Unanimously Resolved, That the said Election, so far as the same concerns the Petitioner and the Sitting Member abovementioned, be and is declared Void.

Ordered, That Mr. Speaker do issue his Warrant to the Deputy Secretary of this Province, to make out a new Writ of Election, directed to the Mayor, Recorder and Aldermen, of the City of

L. H. J. Annapolis, to Elect a Delegate to serve in the General Assembly of
 Liber No. 51 this Province now Sitting, in the Room of Doctor George Steuart,
 Dec. 20 who is dismissed from any further Attendance on this House.

The House adjourns till the Morrow Morning at 9 of the Clock.

Dec. 21

Thursday, 21st December, 1758.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Mr. Gresham, Mr. B. Mackall, and Mr. Gale. The Proceedings were Read.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, the Petition of Col. Dagworthy, and Others; Indorsed, "By the Upper House of Assembly, Read and Referred to the Consideration of the Lower House of Assembly."

Which Petition was Read here, and Ordered to lie on the Table.

Mr. Key brings in and delivers to Mr. Speaker, a Bill, entituled, An Act for selling the Land whereon the Free-School in Saint Mary's County stood, and for Re-building the said School-House;

Which was Read the first and second Time by an especial Order, and was sent to the Upper House by Mr. Plater and Mr. Key.

On Motion, Leave given, to bring in a Bill To repeal an Act, p. 86 entituled, An Act repealing an Act, entituled, An Act to repeal Part of an Act, entituled, An Act laying an Imposition on Negroes, and on several Sorts of Liquors imported, &c.

Ordered, That Mr. Thomas Harris, and Mr. Williamson, do prepare and bring in the same.

The Bill, entituled, An Act for Reducing the Allowances of the Councillors, Deputies and Delegates, &c. was Read the first Time; and the Question was put, That the said Bill be Referred to the Consideration of the next Assembly.

For the Affirmative,

Hynson,	Edmondson,	Beall,
Hammond,	Bowman,	Lloyd,
Gassaway,	Earle,	Tilghman,
J. J. Mackall,	Baker,	E. Dorsey,
Gantt,	Ward,	Crabb.
Dent,	Mauldin,	

17

For the Negative,

Plater,	Hanson,	Owings,
Key,	Stoddert,	Dulany,
Greenfield,	Sulivane,	Murdock,
Williamson,	Cockey Deye,	Hopper,
Worthington,	Govane,	T. Harris.
Fitzhugh,	J. H. Dorsey,	

17

The House being Divided on this Question, the same was Determined in the Affirmative by the Honourable Speaker.

L. H. J.
Liber No. 51
Dec. 21

On Reading the Petition of John Paca, Robert Adair, and Margaret Paca, Executors of the Last Will and Testament of John Paca, junior, late of Baltimore County, deceased:

Ordered, That Mr. Edward Dorsey, Mr. Govane, Mr. Cockey Deye, Mr. J. H. Dorsey, and Mr. Owings, be a Committee to enquire into the Allegations and Facts contained in the said Petition: and that they do make Report thereof to the House.

On Motion, Leave given, to bring in a Bill for empowering the Agents appointed by the £40,000 Act, to lay several Sums of Money for Indian Scalps:

Ordered, That Col. Tilghman and Mr. Edward Dorsey do prepare and bring in the same.

On Reading a second Time the Bill, entituled, A Supplementary Act to an Act, entituled, An Act for Limitation of certain Actions, the same was Referred for Consideration at the next Session of Assembly.

On Reading the second Time the Petition of the Rector, Vestrymen, Church-wardens, and other Parishioners, in Port-Tobacco p. 87 Parish in Charles County; Leave is given to bring in a Bill:

Ordered, That Col. Tilghman, Mr. Hanson, Mr. Dent, and Mr. Stoddert, do prepare and bring in the same.

Upon Reading the second Time the Petition of Mr. John Mathews, of Baltimore County, late Press-master, the same was Referred for Consideration at the next Session of Assembly.

Upon Reading the second Time the Petition of John Anderson, of the City of Annapolis, the same was referred for Consideration at the next Session of Assembly.

Upon Reading the second Time the Petition of Lieutenant-Colonel Dagworthy and Others; on Motion, the Question was put, That the Money appropriated for Scalps, be applied towards the Relief of the Petitioners thereon named. Resolved in the Negative.

For the Affirmative,

Plater,	Edmondson,	Hopper,
Key,	Bowman,	Chapline,
Greenfield.	Sulivane,	Cresap,
Worthington,	Ward,	Crabb.
J. J. Mackall,	Dulany,	
Fitzhugh.	Beall,	

L. H. J. Liber No. 51 Dec. 21	For the Negative,	
Williamson,	Dent,	Baker,
Hynson,	Stoddert,	Mauldin,
Hammond,	Cockey Deye,	Murdock,
Gassaway,	Govane,	Lloyd,
Carroll,	J. H. Dorsey,	Tilghman,
Gantt,	Owings,	T. Harris,
Hanson,	Earle,	E. Dorsey.

21

Upon mature Consideration of the said Petition; on Motion, the Question was put, That the following be Entered on the Journal, as the Resolve of this House, viz. Resolved, That this House has, by a Bill sent to the Upper House this Session (and by that House returned with a Negative) done every Thing incumbent on them for making Provision to relieve the Petitioners from every Distress complained of in their said Petition. Resolved in the Affirmative.

For the Affirmative,

Williamson,	Dent,	Baker,
Hynson,	Stoddert,	Mauldin,
Hammond,	Sulivane,	Murdock,
Gassaway,	Cockey Deye,	Lloyd,
Worthington,	Govane,	Tilghman,
J. J. Mackall,	J. H. Dorsey,	T. Harris,
Gantt,	Owings,	E. Dorsey,
Hanson,	Earle,	Cresap.

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p. 88

For the Negative,

Plater,	Edmondson,	Beall,
Key,	Bowman,	Hopper,
Greenfield,	Ward,	Chapline,
Fitzhugh,	Dulaney,	Crabb.

12

In Pursuance of the Determination of the foregoing Question, the following was Entered as the Resolve of this House, viz.

Resolved, That this House has, by a Bill sent to the Upper House this Session (and by that House returned with a Negative) done every Thing incumbent on them for making Provision to relieve the Petitioners from every Distress complained of in their said Petition.

Col. Tasker, from the Upper House, delivers to Mr. Speaker, the Petition of William Clajon, and Mary his Wife, Administratrix of Gamaliel Butler, late of the City of Annapolis; Indorsed, "By the Upper House of Assembly, Read and Referred to the Consideration of the Lower House of Assembly."

Which Petition was here Read, and Ordered to lie on the Table.

Mr. Thomas Harris brings in and delivers to Mr. Speaker, a Bill, entituled, An Act repealing an Act, entituled, An Act to repeal Part of an Act, entituled, An Act repealing Part of an Act laying an Imposition on Negroes, and on several Sorts of Liquors imported; and also on Irish Servants; and to prevent the Importing of too great a Number of Irish Papists into this Province; and to lay a Duty upon Rum, Spirits, Wine and Brandy imported into this Province, from Pennsylvania, or the Three Lower Counties on Delaware, called New-Castle, Kent, and Sussex;

L. H. J.
Liber No. 51
Dec. 21

Which was Read the first and second Time by an especial Order; and the Question was put, That the said Bill do Pass. Resolved in the Affirmative.

~~X~~ For the Affirmative,

Greenfield,	Earle,	T. Harris,
Williamson,	Baker,	Edmondson,
Hynson,	Ward,	Bowman,
Sulivane,	Mauldin,	Plater,
Cockey Deye,	Lloyd,	Crabb,
J. H. Dorsey,	Tilghman,	Fitzhugh.
Owings,	Hopper,	

20

For the Negative,

Hammond,	Hanson,	Murdock,
Gassaway,	Dent,	Chapline,
Worthington,	Stoddert,	E. Dorsey,
J. J. Mackall,	Govane,	Cresap.
Gantt,	Beall,	

p. 89

14

Which said Bill was Indorsed, "Read the first and second Time by an especial Order, and will Pass;" and was sent to the Upper House by Mr. Earle and Mr. Thomas Harris.

The House Adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

An ingrossed Bill, entituled, An Act continuing an Act, entituled, An Act for the Relief of such Persons as cannot find Surety for their Appearance, to testify as a Witness against any Person arrested, accused, or prosecuted, for any Criminal Matter;

An ingrossed Bill, entituled, An Act continuing an Act, entituled, An Act to prevent disabled and superannuated Slaves being set free, or the Manumission of Slaves by any Last Will or Testament; And,

An ingrossed Bill, entituled, An Act continuing an Act, entituled, An Act for the more effectual destroying of Squirrels and Crows in the Counties of Kent, Queen-Anne's and Talbot; and for destroying Red Foxes in the said Counties;

Were severally Read and Assented to; and sent to the Upper House, with the Paper Bills thereof, by Mr. James John Mackall and Mr. Stoddert.

L. H. J.
Liber No. 51
Dec. 21

Mr. Dorsey brings in and delivers to Mr. Speaker, a Bill, entituled, An Act to enable the Agents appointed by an Act entituled, An Act for Granting a Supply of £40,000 for his Majesty's Service, and striking £34015..6..0 thereof in Bills of Credit, and Raising a Fund for sinking the same, to pay the several Sums of Money for Indian Scalps, to the Persons in this Act mentioned; which was Read the first and second Time by an especial Order, and will Pass.

The Bill, entituled, An Act continuing an Act, entituled, An Act for Repairing the Public Roads in this Province; also the Supplementary Act thereto; was read the second Time, and will Pass.

Which Bills were sent to the Upper House by Mr. Worthington and Mr. Bowman.

p. 90 Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker, the Bill, entituled, An Act to repeal an Act, entituled, An Act repealing an Act, entituled, An Act to repeal Part of an Act, entituled, An Act laying an Imposition on Negroes, and on several Sorts of Liquors imported, &c. Indorsed, "By the Upper House of Assembly, 21st December, 1758. Read the first and second Time by an especial Order, and will not Pass.

Signed p Order, J. Ross, Cl. Up. Ho."

The Petition of William Clajon, and Mary his Wife, was Read and Referred for the Consideration of next Assembly.

On Motion, Resolved, That no new Business be proceeded on this Session after this Day.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, the Bill, entituled, An Act for selling the Land whereon the Free-School in St. Mary's County stood, and for Re-building the said School-House;

The Bill, entituled, An Act continuing an Act, entituled, An Act for Repairing the Public Roads in this Province; also the Supplementary Act thereto; And,

The Bill, entituled, An Act to enable the Agents appointed by an Act, entituled, An Act for Granting a Supply of Forty Thousand Pounds, &c. to pay the several Sums of Money for Indian Scalps, &c.

Which Bills were severally Indorsed, "By the Upper House of Assembly, 21st December, 1758. Read the first and second Time by an especial Order, and will Pass.

Signed p Order, J. Ross, Cl. Up. Ho."

Which Bills were severally Read here, and passed for Ingrossing.

On Motion, the Question was put, That the Sum of £1500, Part of the Sum now appropriated for Payment of Scalps, be applied as a Present to the Officers and Soldiers raised in this Province, for their Valour and Bravery in the last Campaign, under the Command of Brigadier-General Forbes. Resolved in the Affirmative.

For the Affirmative,			L. H. J. Liber No. 51 Dec. 21 p. 91
Plater,	Hanson,	Dulany,	
Key,	Bowman,	Murdock,	
Greenfield,	Sulivane,	Hopper,	
Williamson,	Govane,	T. Harris,	
Hynson,	Baker,	Crabb.	
J. J. Mackall,	Ward,		
Fitzhugh,	Mauldin,		
			19
For the Negative,			
Hammond,	Stoddert,	Earle,	
Gassaway,	Edmondson,	Beall,	
Worthington,	Cockey Deye,	Lloyd,	
Gantt,	J. H. Dorsey,	Tilghman,	
Dent,	Owings,	E. Dorsey.	15

On Motion, Leave given, to bring in a Bill for applying £1500, Part of the Money appropriated for Indian Scalps;

Ordered, That Col. Fitzhugh, Mr. Murdock, Mr. Govane, Mr. Key, and Mr. Thomas Harris, do prepare and bring in a Bill accordingly.

Mr. Dulany hath Leave to be absent To-morrow Morning.

The House adjourns till the Morrow Morning at 9 of the Clock.

Friday, 22 December, 1758.

Dec. 22

The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Mr. Gibson. The Proceedings were Read.

An ingrossed Bill, entituled, An Act for destroying of Crows and Squirrels in particular Counties;

An ingrossed Bill, entituled, An Act for the keeping a Public Warehouse for Inspecting Tobacco at the Land of Ease on South River; And,

An ingrossed Bill, entituled, An Act for selling the Land whereon the Free-School in Saint Mary's County stood, and for Re-building the said School-House;

Were severally Read and Assented to.

Mr. Hanson brings in and delivers to Mr. Speaker, a Bill, entituled, An Act to empower the Justices of Charles County, to levy on the taxable Inhabitants of Port-Tobacco Parish in said County, a Sum not exceeding Two Pounds of Tobacco per Poll annually, for the Support of an Organist in said Parish; which was Read the first and second Time by an especial Order, and will Pass; which said

L. H. J. Bill was sent, with the Two Ingrossed Bills, and the Paper Bills
 Liber No. 51 thereof, to the Upper House, by Mr. Hanson and Mr. Dent.
 Dec. 22

p. 92 Mr. John Hammond Dorsey brings in and delivers to Mr. Speaker,
 the following Report, viz.

By the Committee appointed by the Honourable Lower House
 of Assembly, to Enquire into the Facts and Allegations contained
 in the Petition of John Paca, Robert Adair, and Margaret Paca,
 Executors of John Paca, junior, deceased.

Your Committee, Pursuant to the Appointment and Order of
 your Honourable House, have fully enquired into the several Facts
 and Allegations contained in the said Petition, and find, from
 original Papers, Records, proved Accounts, and the Information
 of a Member of your Honourable House, that the said Facts and
 Allegations are true, except that Thomas, one of the Children of
 William Hammond in the said Petition mentioned, is dead: And
 that it does not appear to them, than the mortgaged Premises, before
 the said Infant's Age, will not be worth the Money due on the said
 Mortgage, and the growing Interest; though it does appear to your
 Committee, that the mortgaged Premises will never pay the Principal
 and Interest that is and will be due on the Mortgage and Bond in the
 said Petition mentioned.

All which is submitted to the Consideration of your Honourable
 House.

Signed p Order, Basil Dorsey, junr. Clerk of said Committee.

Which was Read a first and second Time, and Referred for Con-
 sideration at the next Session of Assembly.

Ordered, That the Petitioners give Notice to all Parties, in any
 wise concerned, and who have a Right to an equitable Redemption
 of the Premises, that the said Petition is Referred to the Con-
 sideration of the next Assembly.

Col. Tilghman brings in and delivers to Mr. Speaker, a Bill,
 entituled, An Act for the Relief of certain languishing Prisoners
 in the several County Goals therein mentioned;

Which was Read the first and second Time by an especial Order,
 and will Pass; and was sent to the Upper House by Mr. Lloyd and
 Mr. Sulivane.

p. 93 On reading and considering his Excellency's Speech of the 19th
 Instant;

Ordered, That an Address be prepared to his Excellency in Answer
 thereto; and that Col. Tilghman, Mr. Hammond, Mr. E. Dorsey,
 and Mr. Murdock, do prepare and bring in the same.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

Mr. Stoddert and Mr. J. J. Mackall have Leave of Absence.

L. H. J.
Liber No. 51
Dec. 22

An ingrossed Bill, entituled, An Act continuing an Act, entituled, An Act for Repairing the Public Roads in this Province, and the Supplementary Act thereto; And,

An ingrossed Bill, entituled, An Act to enable the Agents appointed by an Act, entituled, An Act for granting a Supply of 40,000 l. for his Majesty's Service, and striking 34,015 l. 6 s. thereof in Bills of Credit, and raising a Fund for sinking the same, to pay the several Sums of Money for Indian Scalps in this Act mentioned;

Were severally Read and Assented to, and sent to the Upper House, with the Paper Bills thereof, by Mr. Govane and Mr. Hanson.

Col. Tasker, from the Upper House, delivers to Mr. Speaker, the Bill, entituled, An Act to impower the Justices of Charles County, to levy on the taxable Inhabitants of Port-Tobacco Parish in said County, a Sum not exceeding Two Pounds of Tobacco p Poll annually, for the Support of an Organist in said Parish; Indorsed, By the Upper House of Assembly, 22d December, 1758. Read the first and second Time by an especial Order, and will Pass.

Signed p Order, J. Ross, Cl. Up. Ho.

Which Bill was Read here, and passed for Ingrossing.

And the Bill, entituled, An Act for the Relief of certain languishing Prisoners in the several County Goals therein mentioned; Indorsed, By the Upper House of Assembly, 22d December, 1758. Read the second Time, and, with the following Amendments, will Pass:

Leave out the first Proviso in the Third Page of the Bill: Leave out also the last Proviso, and insert the following Enacting Clause p. 94 and Proviso. And be it Enacted, That in Case any of the Debtors aforesaid owe and are indebted to the Loan-Office of this Province, upon the Discharge of such Debtor or Debtors, according to the Directions of this Act, the Sureties of such Debtor or Debtors, shall be also exempted, released, and discharged, to all Intents and Purposes, for and in respect of any Claim or Demand whatsoever, which the Commissioners or Trustees of the said Office have, or may have, against the Sureties of such Debtor or Debtors. Provided always, and be it Enacted, That nothing in this Act contained, shall extend or be construed to extend, to his most Sacred Majesty, his Heirs, and Successors, the Right Honourable the Lord Proprietary, his Heirs, and Successors, or any Bodies Politic or Corporate; but that their and every of their Claims and Demands, shall be and remain in the same Force, Vigour and Effect, to all Intents and Purposes whatsoever, as if this Act had not been made.

Signed p Order, J. Ross, Cl. Up. Ho.

On Motion, the Question was put, That this House do agree to the Amendments proposed to the said Bill. Resolved in the Negative.

L.H.J.
Liber No. 51
Dec. 22 A Bill, entituled, An Act for Granting a Sum of Money as a Present to the Forces late in the Pay and Service of this Province, and taken into his Majesty's Service by Brigadier-General Forbes; was Read the first and second Time by an especial Order; and the Question was put, That the said Bill do Pass. Resolved in the Affirmative.

For the Affirmative,

Plater,	Hanson,	Hopper,
Key,	Bowman,	T. Harris,
Greenfield,	Sulivane,	Chapline,
Williamson,	Govane,	Cresap,
Hynson,	Ward,	Crabb.
J. J. Mackall,	Dulany,	
Fitzhugh,	Murdock,	

19

For the Negative,

Hammond,	Stoddert,	Baker,
Gassaway,	Edmondson,	Mauldin,
Carroll,	Cockey Deye,	Beall,
Worthington,	J. H. Dorsey,	Lloyd,
Gantt,	Owings,	Tilghman,
Dent,	Earle,	E. Dorsey.

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p. 95 Which Bill was Indorsed, "Read the first and second Time by an especial Order, and will Pass;" and was sent to the Upper House by Col. Fitzhugh and Col. Hopper.

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker, the Bill, entituled, An Act for granting a Sum of Money as a Present to the Forces late in the Pay of this Province, and taken into his Majesty's Service by Brigadier-General Forbes; Indorsed, By the Upper House of Assembly, 22d December, 1758. Read the first and second Time by an especial Order, and will Pass.

Signed p Order, J. Ross, Cl. Up. Ho.

Which Bill was Read here, and Passed for Ingrossing.

The House adjourns till the Morrow Morning at 9 of the Clock.

Dec. 23

Saturday, 23 December, 1758.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Mr. Stoddert. The Proceedings were Read.

Col. Fitzhugh, Alexander Williamson, Esq; and Major Hynson, have Leave of Absence.

Col. Tilghman brings in and delivers to Mr. Speaker, a Bill, L. H. J.
entituled, An Act for the Relief of certain languishing Prisoners Liber No. 51
in the several County Goals therein mentioned; Dec. 23

Which was Read the first and second Time by an especial Order,
and will Pass.

An ingrossed Bill, entituled, An Act to impower the Justices of
Charles County, to levy on the taxable Inhabitants of Port-Tobacco
Parish in said County, a Sum not exceeding Two Pounds of Tobacco
per Poll annually, for the Support of an Organist in said Parish;
And,

An ingrossed Bill, entituled, An Act for granting a Sum of Money
as a Present to the Forces late in the Pay of this Province, and taken
into his Majesty's Service by Brigadier General Forbes;

Were severally Read and Assented to, and sent to the Upper
House, with the Paper Bills thereof, and the Prisoners Bill, by Mr.
Murdock and Mr. Edmondson.

Col. Tilghman brings in and delivers to Mr. Speaker, an Address p. 96
to his Excellency; which was Read, Approved, and Ordered to be
Ingrossed.

On reading and considering the Report brought in on the 20th
Instant by Col. Tilghman, relative to Mr. Bacon's Proposals for
Revising and Printing the Laws; the House concurs therewith; and
Referred the same for Consideration at the next Session of Assembly.

Benedict Calvert, Esq; from the Upper House, delivers to Mr.
Speaker, the Bill, entituled, An Act for the Relief of certain languish-
ing Prisoners in the several County Goals therein mentioned; In-
dorsed, By the Upper House of Assembly, December 23, 1758.
Read the first Time, and will not Pass.

Signed per Order, J. Ross, Cl. Up. Ho.

Mr. Murdock brings in and delivers to Mr. Speaker, the following
Ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander
in Chief in and over the Province of Maryland:

The humble Address of the House of Delegates.

May it please your Excellency,

The Business of this Session being near a Conclusion, when your
Excellency was pleased to recommend to us in your Speech of the
19th Instant, to prepare a Bill for obliging Masters of Vessels, that
shall come to this Province thro' the Capes of Virginia, to pay a
Duty towards Building a Light-House on Cape-Henry, and keeping
a Light therein; we thought proper to defer the Consideration of
that, and the other Matter recommended to us, till our next Meeting:
And as we have now finished all the Business which we can proceed
on at this Time, the Season being far advanced, and the Weather so

L. H. J. severe, that it renders our Sitting very inconvenient, we take the
 Liber No. 51 Freedom to express our Desire of returning to our private Concerns,
 Dec. 23 and that an End may be put to this Session.

Which was Read and Assented to, and Signed, By Order of the House, by the Honourable Speaker.

p. 97 Ordered, That Mr. Lloyd and Mr. Hanson do acquaint the Governor, That this House hath prepared an Address, to be presented, to him, and desires to know when and where he will receive it. They return and acquaint Mr. Speaker, That his Excellency signified he would receive the Address in Half an Hours Time in the Council Chamber.

Ordered, That Alexander Williamson, Esq; with Three more, do present the Address to his Excellency.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, the Paper Bills (the Ingrossed Bills of which had been severally Assented to by this House); which Paper Bills were severally thus Indorsed, By the Upper House of Assembly; The Ingrossed Bill, whereof this is the Original, is Read and Assented to.

Signed p Order, J. Ross, Cl. Up. Ho.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

Col. Tasker, and Benedict Calvert, Esq; from the Upper House, acquaint Mr. Speaker, That the Governor requires the Attendance of the Lower House immediately in the Upper House.

Mr. Speaker left the Chair, and (with the Members of the Lower House) went to the Upper House; and presented to his Excellency the Governor,

An ingrossed Bill, entituled, An Act continuing an Act, entituled, An Act for the Relief of such Persons as cannot find Surety for their Appearance, to testify as a Witness against any Person arrested, accused, or prosecuted, for any Criminal Matter;

An ingrossed Bill, entituled, An Act continuing an Act, entituled, An Act to prevent disabled and superannuated Slaves being set free, or the Manumission of Slaves by any Last Will or Testament;

An ingrossed Bill, entituled, An Act continuing an Act, entituled, An Act for the more effectual destroying of Squirrels and Crows in the Counties of Kent, Queen-Anne's and Talbot; and for destroying Red Foxes in the said Counties;

p. 98 An ingrossed Bill, entituled, An Act for destroying of Crows and Squirrels in particular Counties;

An ingrossed Bill, entituled, An Act for the keeping a Public Warehouse for Inspecting Tobacco at the Land of Ease on South River;

An ingrossed Bill, entituled, An Act for selling the Land whereon
the Free-School in Saint Mary's County stood, and for Re-building
the said School-House;

L. H. J.
Liber No. 51
Dec. 23

An ingrossed Bill, entituled, An Act continuing an Act, entituled,
An Act for Repairing the Public Roads in this Province, and the
Supplementary Act thereto;

An ingrossed Bill, entituled, An Act to enable the Agents ap-
pointed by an Act, entituled, An Act for Granting a Supply of
Forty Thousand Pounds for his Majesty's Service, and striking
thirty-four Thousand and Fifteen Pounds Six Shillings thereof
in Bills of Credit, and Raising a Fund for sinking the same, to pay
the several Sums of Money for Indian Scalps, to the Persons in this
Act mentioned;

An ingrossed Bill, entituled, An Act to impower the Justices of
Charles County, to levy on the taxable Inhabitants of Port-Tobacco
Parish in said County, a Sum not exceeding Two Pounds of Tobacco
per Poll annually for the Support of an Organist in said Parish;

An ingrossed Bill, entituled, An Act for Granting a Sum of
Money as a Present to the Forces late in the Pay and Service of this
Province, and taken into his Majesty's Service by Brigadier General
Forbes;

All which his Excellency passed into Laws in the usual Manner;
and made the following Speech, viz.

Gentlemen of the Upper and Lower Houses of Assembly,

I have thought fit, with the Advice of his Lordship's Council of
State, to Prorogue this Assembly to the last Tuesday in February
next; and you are to take Notice you are Prorogued to that Day
accordingly.

So Endeth this Session of Assembly, this 23d Day of December,
in the Year of our Lord 1758.

Test. M. Macnemara, Cl. Lo. Ho.

ACTS OF THE ASSEMBLY PASSED IN NOVEMBER-DECEMBER 1758

Liber H. S. At a Session of Assembly, begun and held at the City of Annapolis, on Wednesday the Twenty-second Day of November, p. 370 in the Eighth Year of the Dominion of the Right Honourable Frederick, Lord Baron of Baltimore, Absolute Lord and Proprietary of the Provinces of Maryland and Avalon, &c. Annoque Domini 1758 and ended the Twenty-third Day of December following.

The following Laws were enacted and assented to by his Excellency Horatio Sharpe Esquire Governor.

No. 1 An Act continuing an Act, entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees; also one other Act, entituled, A Supplementary Act to the Act, entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees; also one other Act, entituled, an additional Supplementary Act to the Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees; and also one other Act, entituled, An Act for the Relief of Inspectors, and Owners of Tobacco, and Others, who have suffered by Means of extraordinary Rains, and high Tides, and other Defects in the Inspection-Law.

[Continuation of the
Inspection
Act made in
1753, (and
all the subse-
quent Acts
relating
thereto), un-
til December
1763.]

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province, entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, made at a Session of Assembly, begun and held at the City of Annapolis, the Second Day of October, Anno Domini One Thousand Seven Hundred and Fifty-three; also one other Act, entituled, A Supplementary Act to the Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, made at a Session of Assembly, begun and held at the City of Annapolis, the Twenty-sixth Day of February, Anno Domini One Thousand Seven Hundred and Fifty-four; also one other Act, entituled, An additional Supplementary Act to the Act entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, made at a Session of As-

sembly, begun and held at the City of Annapolis, the Eighth Day of May, Anno Domini One Thousand Seven Hundred and Fifty-four; and also one other Act, entituled, An Act for the Relief of Inspectors and Owners of Tobacco, and Others, who have suffered by Means of extraordinary Rains, and high Tides, and other Defects in the Inspection-Law, made at a Session of Assembly, begun and held at the City of Annapolis, the Twenty-second Day of February, Anno Domini One Thousand Seven Hundred and Fifty-five, be, and they are hereby continued, and shall remain and be in full Force, until the First Day of December, which shall be in the Year One Thousand Seven Hundred and Sixty-three. Liber H. S.
p. 371

Provided always, That nothing in this Act shall extend, or be construed to extend, to repeal an Act, entituled, An Act for suppressing Plumb-Point Warehouse, in Calvert County.

29th November 1758
Read and assented to
by the Lower house of
assembly

Signed p order
MMacnemara Cl lo ho

On behalf of the Right
Honourable the Lord Pro-
prietary of this Province
I will this be a Law.

[Hor.º Sharpe]

29th November 1758
Read and assented to
by the upper house of
assembly

Signed p order
JRoss Cl Up Ho

The Great Seal
in Wax app.t

o. 2 An Act continuing an Act entituled, An Act for the Relief of such Persons as cannot find Surety for their Appearance, to testify as a Witness against any Person arrested, accused, or prosecuted, for any Criminal Matter. [p. 371]

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province, entituled, An Act for the Relief of such Persons as cannot find Surety for their Appearance, to testify as a Witness against any Person arrested, accused, or prosecuted for any Criminal Matter, made at a Session of Assembly, begun and held at the City of Annapolis, the Third Day of June, Anno Domini One Thousand Seven Hundred and Fifty Two, be, and is hereby continued, and shall be and remain and be in full Force, for and during the Term of Three Years, and unto the End of the next Session of Assembly, which shall happen after the Expiration of the said Three Years. [An Act
Continued.]

11th December 1758
Read and assented to
by the Lower house of
assembly

Signed p order
MMacnemara Cl lo ho

On behalf of the Right
Honourable the Lord Pro-
prietary of this Province
I will this be a Law

Hor.º Sharpe

11th December 1758
Read and assented to
by the upper house of
assembly

Signed p order
JRoss Cl Up Ho

The Great Seal
in Wax app.t

No. 3 An Act continuing an Act, entituled, An Act to prevent disabled and superannuated Slaves being set free, or the Manumission of Slaves, by any last Will or Testament.
 Liber H. S. p. 372

[An Act Continued.] Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province, entituled, An Act to prevent disabled and superannuated Slaves being set free, or the Manumission of Slaves, by any last Will or Testament, made at a Session of Assembly, begun and held at the City of Annapolis, the Third Day of June, One Thousand Seven Hundred and Fifty Two, be, and is hereby continued, and shall remain and be in full Force, for and during the Term of Seven Years, and unto the End of the next Session of Assembly, which shall happen after the Expiration of the said Seven Years.

21st December 1758
 Read and assented to
 by the Lower house of
 assembly
 Signed p order
 MMacnemara Cl lo ho

On behalf of the Right
 Honourable the Lord Pro-
 prietary of this Province
 I will this be a Law
 Hor.º Sharpe

21st December 1758
 Read and assented to
 by the upper house of
 assembly
 Signed p order
 JRoss Cl Up Ho

The Great Seal
 in Wax app.t

No. 4 An Act continuing an Act, entituled, An Act for the more effectual destroying of Squirrels and Crows in the Counties of Kent, Queen-Anne's, and Talbot, and for destroying red Foxes in the said Counties.

(An Act Continued.) Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province, entituled, An Act for the more effectual destroying of Squirrels and Crows in the Counties of Kent, Queen-Anne's and Talbot, and for destroying red Foxes in the said Counties, made at a Session of Assembly, begun and held at the City of Annapolis, the Twenty-fourth Day of May, Anno Domini One Thousand Seven Hundred and Forty Nine, be, and is hereby continued, and shall remain and be in full Force, for and during the Term of Three Years, and unto the End of the next Session of Assembly, which shall happen after the Expiration of the said Three Years.

21st December 1758
 Read and assented to
 by the Lower house of
 assembly
 Signed p order
 MMacnemara Cl lo ho

On behalf of the Right
 Honourable the Lord Pro-
 prietary of this Province
 I will this be a Law
 Hor.º Sharpe

21st December 1758
 Read and assented to
 by the upper house of
 assembly
 Signed p order
 JRoss Cl Up Ho

The Great Seal
 in Wax app.t

No. 5 An Act for destroying of Crows and Squirrels in particular Counties. Liber H. S.

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That so much of an Act of Assembly, made at a Session of Assembly, begun and held at the City of Annapolis, the Third Day of October, One Thousand Seven Hundred and Twenty-eight, entituled, An Act to encourage the destroying of Wolves, Crows and Squirrels, as relates to the Killing of Crows and Squirrels, so far as the same relates to the several Counties of Saint Mary's, Somerset, Charles, Anne-Arundel, Cæcil, Calvert, Worcester, Prince-George's, Baltimore, and Dorchester, be, and is hereby repealed, abrogated, and made null and void.

And be it further Enacted, by the Authority aforesaid, That from and after the First Day of March, which shall be in the Year One Thousand Seven Hundred and Fifty-nine, That every Master, Mistress, Owner of a Family, or single Taxable in the several Counties aforesaid, shall be, and are by this Act obliged, yearly, at some Time before the laying their County Levy, to produce to some one of the Magistrates of their County, Four Squirrels Scalps, or Crows Heads, for every taxable Person they shall pay Levy for that Year, and the several Magistrates, before whom such Squirrels Scalps, or Crows Heads, shall be brought, shall burn, or cause to be burnt, or otherwise destroyed, such Squirrels Scalps, or Crows Heads, that shall be so produced to him or them, to prevent their being produced a second Time, and give such Person a Certificate under his Hand, certifying the Number of Squirrels Scalps, or Crows Heads, such Person brought before him, which Certificate, the Person obtaining the same, shall lay before the Justices of their County, at the Time of laying their County Levy, and the Justices of the said Counties severally shall then cause a List of Taxables of their County to be laid before them, in Order from thence to compare the Number of Taxables each Person pays in the County, with the Certificates produced, that thereby it may be found what Persons have complied with this Act, and who failed therein.

And be it further Enacted, by the Authority, Advice, and Consent aforesaid, That every Person that shall fall short of producing a Certificate of Squirrels Scalps, or Crows Heads, in Proportion to their Taxables, according to the Directions and Exigence of this Act, the Justices of the several and respective County Courts, wherein such Person or Persons shall reside at the Time of laying the County Levy, are hereby impowered and required for each Squirrel Scalp, or Crows Head, such Person shall fall short in Manner aforesaid, to levy upon such Person, the Sum of Two Pounds of Tobacco, to be upon Execution, and collected by the Sheriff of the County, in the

p. 373
[Part of an
Act re-
pealed.]

[4 Squirrel
Scalps per
Taxable (or
Crows
Heads) to
be produced
and Burnt.]

[Or to be
mulcted
Two Pounds
of Tobacco.]

Liber H. S. same Manner as the Public and County Levies are, to be applied towards the Defraying the County Charge.

[Continu-
ance.] This Act to continue for Three Years, and unto the End of the next Session of Assembly, which shall happen after the Expiration of the said Three Years.

22d December 1758
Read and assented to
by the Lower house of
assembly
Signed p order
MMacnemara Cl lo ho

On behalf of the Right
Honourable the Lord Pro-
prietary of this Province
I will this be a Law
Hor.º Sharpe

22d December 1758
Read and assented to
by the upper house of
assembly
Signed p order
JRoss Cl Up Ho

The Great Seal
in Wax app:t

No. 6 An Act for the keeping a Public Warehouse for Inspecting Tobacco,
at Land of Ease on South River.

p. 374 Whereas the Inspection House at Maclefish's, alias Howard's Point, on the South Side of South River, hath been lately burnt, and the Situation of an Inspection House at the said Place, is by Experience found inconvenient :

[Alteration
of a Ware-
house on
South
River.] Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That a Public Warehouse for Inspecting Tobacco, shall, instead of the said Warehouse, be kept at the Land of Ease, belonging to Mr. Nicholas Maccubbin, on South River.

[To be
under the
same Regu-
lations as
the former.] [Repeale
about the
former one.] And be it further Enacted, That the Warehouse, belonging to the said Nicholas Maccubbin, at the Land of Ease, shall, in every Respect, be subject to all and every the Regulations that the Warehouse at Maclefish's, alias Howard's Point, by Virtue of any Laws relative to Inspection Houses, would have been liable and subject to.

And be it further Enacted, That every Matter and Clause, in any Act contained, so far only as they relate to the Fixing the Public Warehouse at the said Maclefish's, alias Howard's Point, shall be and are hereby utterly repealed and made void.

[Continu-
ance.] This Act to continue until the First Day of December, which shall be in the Year of our Lord One Thousand Seven Hundred and Sixty-three.

22d December 1758
Read and assented to
by the Lower house of
assembly
Signed p order
MMacnemara Cl lo ho

On behalf of the Right
Honourable the Lord Pro-
prietary of this Province
I will this be a Law
Hor.º Sharpe

21st December 1758
Read and assented to
by the upper house of
assembly
Signed p order
JRoss Cl Up Ho

The Great Seal
in Wax app:t

No. 7 An Act for selling the Land whereon the Free-School in St. Mary's Liber H. S. County stood, and for Re-building the said School-House.

Whereas the Visitors of the School by Law established, in St. [Preamble.] Mary's County, by their humble Petition to this present General Assembly, have represented, That the School-House by Law established, hath lately been unfortunately destroyed by Fire, and that it stood in an inconvenient Place in the said County; that a Master duly qualified for such School could not gain a sufficient Maintenance, by Means of the inconvenient Situation of the said School-House; that if the Land whereon the said School-House stood was to be sold, and the Money arising by such Sale was to be applied towards building a new One in a more convenient Place, in the said County, it would better answer the Conveniency of the major Part of the People in the said County, and consequently the End and Design of County Schools, by Law established: It is therefore, by the said Petition, prayed that it may be enacted.

p. 375

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That it shall and may be lawful to and for the Visitors of the School, by Law established for St. Mary's County, to set up, and expose to sale, the Piece or Parcel of Ground whereon the School-House aforesaid stood, in the said County, for the best Price that can be gotten for the same, and the same to convey in Fee to the Purchaser (or agreeable to the Title given by Law to the said Ground), and with the Monies thereby arising, so far as the same shall extend, to purchase some other Piece or Parcel of Ground within the said County, and thereon to erect and build a new School-House, for the Use of the said County; any Law, Statute, Usage, or Custom to the contrary thereof, in any wise, notwithstanding.

[School-Land in St. Mary's to be sold, and a new School-House to be built.]

22d December 1758
Read and assented to
by the Lower house of
assembly

Signed p order
MMacnemara Cl lo ho

On behalf of the Right
Honourable the Lord Pro-
prietary of this Province
I will this be a Law

Hor.^o Sharpe

22d December 1758
Read and assented to
by the upper house of
assembly

Signed p order
JRoss Cl Up Ho

The Great Seal
in Wax app:t

No. 8 An Act continuing an Act, entituled, An Act for Repairing the Public Roads in this Province, and the Supplementary Act thereto.

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province, entituled, An Act for Repairing the Public Roads in this Province, made at a

[An Act
Continued.]

Liber H. S. Session of Assembly, begun and held at the City of Annapolis, the Second Day of October, Seventeen Hundred and Fifty-three; also the Supplementary Act thereto, made at a Session of Assembly, begun and held at the City of Annapolis, the Twenty-third Day of February, One Thousand Seven Hundred and Fifty-Six, be, and are
 p. 376 hereby continued, and shall remain and be in full Force, for and during the Term of Three Years, and unto the End of the next Session of Assembly, which shall happen after the Expiration of the said Three years.

22^d December 1758
 Read and assented to
 by the Lower house of
 assembly
 Signed p order
 MMacnemara Cl lo ho

On behalf of the Right
 Honourable the Lord Pro-
 prietary of this Province
 I will this be a Law
 Hor.^o Sharpe

23^d December 1758
 Read and assented to
 by the upper house of
 assembly
 Signed p order
 JRoss Cl Up Ho

The Great Seal
 in Wax app.t

No. 9 An Act to enable the Agents appointed by an Act, entituled, An Act for Granting a Supply of Forty Thousand Pounds for his Majesty's Service, and striking Thirty-four Thousand and Fifteen Pounds Six Shillings thereof, in Bills of Credit, and raising a Fund for sinking the same, to pay the several Sums of Money for Indian Scalps to the Persons in this Act mentioned.

[Preamble.] Whereas it appears to this General Assembly, by a Certificate under the Hand of his Excellency General Forbes, that one Captain Charles (Brother to Custoga, a Delaware Indian), Commanding a Party of Warriors, in a Skirmish near Loyalbanning, was killed on the Twelfth Day of November, in the Year of our Lord One Thousand Seven Hundred and Fifty-eight, by Captain Evan Shelby, who commanded a Company of Maryland Voluntiers; and that the Scalp of the said Captain Charles was delivered to the Cherokee Indians by his Desire, in Order, as it is apprehended by this General Assembly, to attach them to the British Interest. And whereas, also, it appears from a Certificate, under the Hand of George Steuart, Esq; one of the Provincial Magistrates, dated at Annapolis, the Tenth Day of December, One Thousand Seven Hundred and Fifty-seven, that Lieutenant James Riley produced to him the Scalp of an Indian Enemy, who was killed by a Cherokee Indian, in the English Interest, on St. George's Creek, in this Province, which was burnt by the said George Steuart. And whereas it appears that the said Scalp was purchased of the said Cherokee Indian, by Lieutenant-Colonel Dagworthy; and it is just and reasonable that the said Lieutenant-Colonel Dogworthy, and Captain Evan Shelby, should be paid by the said Agents, although they may not have complied with all Requisites necessary to impower the said Agents, by the Laws of this Province, to pay for the said Scalps:

Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the said Agents shall, and are hereby required, out of the Money by the Laws appropriated for Scalps, to pay to the said Lieutenant-Colonel Dagworthy, the Sum of Fifty Pounds Current Money, for the said Scalp, so as aforesaid produced by the said James Riley; and to the said Captain Evan Shelby, the Sum of Fifty Pounds Current Money, for the Scalp of the Indian, so as aforesaid killed by him, and by General Forbes delivered to the Cherokee Indians; and that the same shall be allowed to the said Agents in their Account, out of the Money appropriated to the Payment for Scalps.

22^d December 1758
Read and assented to
by the Lower house of
assembly

Signed p order
MMacnemara Cl lo ho

On behalf of the Right
Honourable the Lord Pro-
prietary of this Province
I will this be a Law

Hor^o. Sharpe

22^d December 1758
Read and assented to
by the upper house of
assembly

Signed p order
JRoss Cl Up Ho

The Great Seal
in Wax app:t

Liber H. S.
[100] to be
paid for two
Scalps.]

No. 10 An Act to impower the Justices of Charles County, to Levy on the Taxable Inhabitants of Port-Tobacco Parish in said County, a Sum not exceeding Two Pounds of Tobacco per Poll annually, for the Support of an Organist in said Parish.

Whereas many of the Inhabitants of Port-Tobacco Parish, in Charles County, by Petition to this General Assembly, setting forth, That Doctor Gustavus Brown, of said County, hath proffered a Donation of an Organ, on Condition that the said Parish will employ an Organist, have prayed that an Act may pass, to enable the Justices of said County, annually, to Levy on the Taxable Inhabitants of the said Parish, a Sum not exceeding Two Pounds of Tobacco per Poll, for that Purpose:

[Preamble.]

Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That it shall and may be lawful for the Justices of Charles County Court, and they are hereby required, annually, during the Continuance of this Act, upon Application of the Vestry of the said Parish, for the Time being, to assess and levy on the Taxable Inhabitants thereof, a Sum not exceeding Two Pounds of Tobacco per Poll; a Certificate of which Assessment, under the County Seal, shall be a sufficient Warrant to the Sheriff of the said County, to levy and collect the Sum of Tobacco therein mentioned, from the said Taxable Inhabitants, and the said Sheriff

[Two
Pounds of
Tobacco per
Taxable, to
be levied for
Pay of an
Organist.]

Liber H. S. shall levy, collect, account for, and pay, the same to the said Vestry, in the same Manner as other Parochial Levies and Dues are levied, collected, accounted for, and paid, retaining to his own Use, a Salary of Five per Cent. on all such Sums as he shall collect and pay, by Virtue of this Act. And the said Tobacco, so by the said Sheriff collected and paid, the said Vestry shall, and they are hereby required to apply towards the Payment of an Organist, in the Parish aforesaid.

[If no Organist to be applied by the Vestry.]

p. 378

Provided always, and be it Enacted, That if the said Parish shall, at any Time, be without an Organist, all such Sum or Sums of Tobacco, as shall at such Time be levied on the Taxable Inhabitants thereof, or shall be in the Hands of the said Vestry unapplied, shall be by the said Vestry applied, laid out and expended, for the Use of the said Parish, to such Purposes, and in such Manner, as the Majority of the Vestry, and Church-Wardens of the said Parish shall order and direct.

[Not to be discharged with money.]

[Continuance.]

Provided also, and be it likewise Enacted, That nothing in any Act, or any Law contained, shall be construed to extend, to give the Inhabitants of the said Parish a Liberty of paying off the said Assessment in Money.

This Act to continue for and during the Term of Fifteen Years, and until the End of the next Session of Assembly, which shall happen after the End of the said Fifteen Years, and no longer.

23^d December 1758
Read and assented to
by the Lower house of
assembly

Signed p order
MMacnemara Cl lo ho

On behalf of the Right
Honourable the Lord Pro-
prietary of this Province
I will this be a Law

Hor.^o Sharpe

23^d December 1758
Read and assented to
by the upper house of
assembly

Signed p order
JRoss Cl Up Ho

The Great Seal
in Wax app.t

No. 11 An Act for Granting a Sum of Money as a Present to the Forces late in the Pay and Service of this Province, and taken into his Majesty's Service by Brigadier-General Forbes.

[Preamble.]

Whereas the Troops late in the Pay and Service of this Province, acting in the Expedition against Fort Duquesne, under the Command of Brigadier-General Forbes, have, by their Alacrity in his Majesty's Service, and their personal Courage and Bravery in repelling his Majesty's Enemies, particularly destined to distress the Inhabitants on the Western Frontier of this Province, manifestly shewn their Zeal for the Service in general, and this Province in particular. In Consideration whereof, and as a distinguishing Mark of their Merit, it is prayed that it may be enacted,

[1500 l as a Present to the Officers and Soldiers late in the Service.]

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Sum of Fifteen Hundred Pounds, Part of the

Money now in the Hands of the Commissioners of the Loan Office Liber H. S. appropriated for the Payment of Indian Scalps and Prisoners, be, and is hereby directed and required to be paid, by the said Commissioners, out of the said Fund, unto the Agents appointed by an Act of Assembly, entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and striking Thirty-four Thousand and Fifteen Pounds Six Shillings thereof in Bills of Credit, and raising a Fund for sinking the same, who are hereby enjoined and required, upon Receipt thereof, as soon as conveniently may be, without Delay, to pay, or cause the same to be paid and distributed, among the Officers and Soldiers in the Maryland Service, in the late Campaign under Brigadier-General Forbes, in Manner following, that is to say, To Lieutenant Col. John Dagworthy, the Sum of Thirty Pounds: To every Captain, Sixteen Pounds: To every Lieutenant, Twelve Pounds: To every Ensign, Nine Pounds: To every Non-Commission Officer, Six Pounds; and the Residue of the said Fifteen Hundred Pounds to be laid out in Cloaths, or such other Necessaries, as the said Agents shall think fit, and to be equally distributed among the private Soldiers, who have served on the said Expedition.

[To whom
to be paid,
and in what
Proportion.]

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Provided always, That where any Officer or Soldier belonging to the Maryland Forces, as aforesaid, who either died or was killed in the said Service, during the said Campaign, that then, and in such Case, the Money which such Officer or Soldier would have received, in Proportion to his Degree, shall be paid to his or their legal Representative, or Representatives, by the said Agents; any Thing in this Act to the contrary notwithstanding.

[Proviso, as
to those who
were killed.]

And be it further Enacted, by the Authority aforesaid, That the said Agents shall produce genuine Receipts from each Officer, Soldier, or Representative, that such proportionable Sum of Money, Cloaths, or other Necessaries, by him or them hath been actually received, which Receipts shall be, by the said Agents, laid before the General Assembly, at their next meeting, for their Inspection.

[Agents to
take
Receipts.]

23^d December 1758
Read and assented to
by the Lower house of
assembly

Signed p order
MMacnemara Cl lo ho

On behalf of the Right
Honourable the Lord Pro-
prietary of this Province
I will this be a Law

Hor.^o Sharpe

23^d December 1758
Read and assented to
by the upper house of
assembly

Signed p order
JRoss Cl Up Ho

The Great Seal
in Wax app:t

I do hereby Certify that Reverdy Ghiselin Clerk of the Provincial Court and Secretary's Office of the Province of Maryland this day p. 379 personally appeared before me the Subscriber one of the Right Honourable the Lord Proprietary of the Province aforesaid his

Liber H. S. council of state and Made Oath on the Holy Evangelists of Almighty God that he carefully Examined all the Laws contained in this Book beginning at folio 370 and ending at folio 379 with the Original Acts that passed the Great Seal.

Sworn to this fourth day of April Anno Domini 1759

Before

C: Hammond.



The Seal of the Provincial Court is hereunto affixed
on behalf of Benjamin Tasker Junior Esquire Deputy
Secretary of Maryland

Reverdy Ghiselin Clk of the
Secretary's Office & Prov.¹ Court.

PROCEEDINGS
OF THE
GENERAL ASSEMBLY OF MARYLAND

At a Session Held at Annapolis, April 4-17, 1759.

*Being the Third Session of the Assembly Elected in
September, 1758*

FREDERICK CALVERT, LORD BALTIMORE,

Lord Proprietary.

HORATIO SHARPE,

Governor.

PROCEEDINGS
OF THE
UPPER HOUSE OF ASSEMBLY

At a Convention of Assembly begun and held at the City of Annapolis on Wednesday the fourth day of April in the Eighth Year of his Lordships Dominion Annoq Domini 1759.

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Liber No. 35
1759
April 4
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Present

His Excellency Horatio Sharpe Esq being Governor.

The Honble { Benjamin Tasker Esq.
Col.° Hammond } Benedict Calvert Esq.
Col.° Tasker } D. Dulany Esq.
 } S. Bordley Esq.

Mess.^rs Goldsborough and Tilghman from the Lower House Acquaint his Excellency that there are a Sufficient Number of Members met to make a House and wait his Excellencys Commands.

Col.° Hammond & Col.° Tasker are sent to Acquaint the Lower House that his Excellency requires their Attendance in the Upper House immediately.

The Lower House Attend and his Excellency is pleased to make the following Speech

Gentlemen of the Upper and Lower Houses of Assembly

His Majesty having nothing so much at Heart as to improve the great & important Advantages gained the Last Campaign, as well as to repair the disappointment at Ticonderoga and by the most vigorous and Extensive efforts to avert, by the blessing of God on his Arms all Dangers which may threaten North America from any further Irruptions of the French and Doubting but all his Faithfull and brave Subjects here will Clearly co-operate with and Second to the utmost the Extraordinary Succours Supplied by the Kingdom of Great Britain for our presurvation and Defence. He hath been pleased to Order the Right Honourable William Pitt Esq. one of his Principal Secretaries of State to Write to the Governors of these Colonies and require them once more to Convene the General Assemblies of their Respective Provinces and to urge them to raise with all Possible Dispatch as Large a Body of Men as the Circumstances of each Province will Allow to Act in Conjunciton with such of the Kings Regular Troops as may during the Ensuing Campaign be employed against his Enemies on this Continent in Obedience therefore to his Majestys Commands, so Signified to me, I meet

U. H. J. you again at this time, and that you may the better know what is
Liber No. 35 Expected from us, I shall lay before you Several Letters that I have
April 4 Lately received from the Secretary of State, and from General
Amherst: the Contents whereof will, I hope Induce you to embrace
the Opportunity which now presents itself. the Last Probably that
you will have, of making amends, in some sort for your failure Last
year, by a ready and Dutifull Performance of the Service which in
Pursuance of his Majestys Commands is now so earnestly recom-
mended.

Sir

Whitehall 9 December 1758

His Majesty having nothing so much at heart as to improve the
p. 399 great and important advantages gained the Last Campaign; as well,
as to repair the disappointment at Ticonderoga, and by the most
vigorous and extensive efforts, to avert, by the Blessing of God on
his Arms, all Dangers, which may threaten North America, from any
future Irruptions of the French, and the King not doubting, that all
his Faithfull and brave Subjects there, will chearfully co-operate
with and Second to the Utmost the Large Expence and Extraordi-
nary Succours Supplied by this Kingdom, for their Preservation
and Defence; and his Majesty Considering that the Several Provin-
ces, from Pensylvania, inclusive, to the Southward, are well able,
with proper Encouragements, to furnish a Body of Several Thou-
sand men to join the Kings Forces in those parts, for Some Offensive
Operations against the Enemy and his Majesty not Judging it
expedient to Limit the Zeal and Ardour of any of his Provinces,
by making a repartition of the Forces, to be raised by each respec-
tively, for this most important Service; I am Commanded to signify
to you the Kings Pleasure that you do forthwith use your utmost
Endeavours and Influence with the Council & Assembly of your
Province to induce them to raise, with all Possible Dispatch within
your Government as Large a Body of Men as the Number and
Scituation of its Inhabitants may allow (in the due Performance
of which Service it is hoped and expected they will not again fail
in their Duty to the King as they did the Last Campaign) and form-
ing the Same into Regiments as far as shall be found Convenient,
that you do direct them to hold themselves in readiness, as early as
may be, to March to the Rendezvous, at Such place or places, as
may be named for that Purpose by the Commander in Chief of his
Majestys Forces in America or by the Officer who shall be Appointed
to Command the Kings Forces in those Parts, in order to Proceed
from thence in Conjunction with a Body of his Majestys British
Forces & under the Supreme Command of the Officer to be ap-
pointed as above, so as to be in a Scituation to begin by the first of
May if Possible or as soon after as shall be anyway practicable,
such offensive operations as shall be judged by the Commander
of his Majestys Forces in those parts most expedient for annoying

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April 4

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the Enemy, and most Efficacious towards removing and repelling the Dangers that Threaten the Frontiers of any of the Southern Colonies on the Continent of America and the better to facilitate this Important Service, the King is Pleased to leave it to you to Issue Commissions to Such Gentlemen of your Province as you shall Judge from their weight and Credit with the People and their Zeale for the Publick Service, may be best Disposed and enabled to quicken and effectuate the Speedy Levying of the greatest Number of men in the Dispositions of Which Commissions I am perswaided you will have nothing in View, but the Good of the Kings Service, and a due Subordination of the Whole when joined to his Majestys Commander; and all Officers of the Provincial Forces as high as Colonels inclusive, are to have Rank according to their several respective Commissions agreeable to the regulations contained in his Majestys Warrant of the 30.th of December last year. The King is further Pleased to furnish all the men so Raised as above with Arms Ammunition and Tents as Well as to Order provisions to be Issued to the Same, by his Majestys Commissarys, in the Same Proportion and Manner as is done to the rest of the Kings Forces and a Sufficient Train of Artillery will also be Provided at his Majestys Expence, for the operations of the Campaign: The whole therefore that the King expects and requires from the Several Provinces, is, the Levying Cloathing and pay of the Men, and on these Heads also that no Encouragement may be wanting to the fullest Exertion of your Force his Majesty is farther most Graciously Pleased to permit me to Acquaint you, that Strong recommendations will be made to Parliament in their Session next year, to grant a proper Compensation for Such Expences as above, according as the Active Vigour and Strenuous efforts of the respective Provinces shall justly appear to merit

It is his Majestys Pleasure that you do, with Particular Diligence immediately collect and put into the best condition all the Arms Issued Last Campaign which can be any ways rendered Serviceable, or that can be found within your Government in order that the same may be employed as far as they will go in this Exigency I am at the same time to acquaint you that a reasonable Supply of Arms will be sent from England to replace such as may have been Lost or have become unfit for Future Service.

I am further to inform you that Similar orders are sent, by this Conveyance to Pensylvania, Virginia North Carolina and South Carolina.

The Northern Governments are also Directed to raise men in the Same manner to be employed in Such Offensive Operations, as the Circumstances and Scituation of the Enemys Possessions in those parts may point out: which it is hoped will Oblige them so to divide their Attention and Forces as will render the Several Attempts more

U. H. J. easy and Successfull. It is unnecessary to Add anything to Animate
 Liber No. 35 your Zeal in the Execution of his Majestys Orders on this Great
 April 4 Occasion, where the future Safety and Welfare of America, and of
 your own Province in Particular are at Stake and the King Doubts
 not from your known Fidelity and Attachment, that you will employ
 your self, with the utmost Application and Dispatch in this urgent
 and decisive Crisis I am Sir

Your most Obedient
 Humble Servant
 W^m Pitt.

New York Dec.^r 13. 1758.

p. 401 Sir

The King having been Pleased to Appoint me Commander in Chief of his Majestys Forces in North America and having at the Same time Signified to me his Royal Pleasure, that I should correspond with, and apply to all his Governors on the Continent for their aid & Assistance in carrying on the Services Pointed out to me, I am in obedience to those Commands, to Acquaint you, that Altho I have not as yet any Particular Orders relative to the Operations of the ensuing Campaign Immagine they will require the Same Number of provincial Troops that were voted by the respective provinces and Colonies this Year; and it will Likewise be Necessary in order to Carry those Operations the more effectually into Execution that those Troops should be at the Place of Rendezvouz as early in the Spring as possible; I woud therefore recommend it to you if the Troops raised by your Province for the Services of Last Campaign, are not already disbanded that you woud move your Assembly to Continue them in their pay during the Winter which will not only be a great saving in Point of time, but by what I can understand a great Saving of expence to the Province Wherefore I shoud hope you will the more easily Succeed in your application but if it should so happen that before the receipt of this Letter those troops had already been Disbanded, In that Case I must Desire that you will Loose no time in using your Influence with your Assembly to move them to order new Levies and to Cause these to be provided with the usual Necessaries and to be ready by the time the Season will Admit their Taking the Field

Having also received his Majestys Orders to recruit and Complet the Regiments now serving on the Continent, I am likewise to beg your Countenance and Protection to the Officers I shall have Occasion to send, as well as to those that have Already been sent by my predecessor, on that Service, and that you will be Aiding and Assisting unto them in the Execution thereof

I am with great regard,
 Sir your most Obed.^t
 Humble Serv.^t
 Jeff Amherst

Sir

Whitehall 29th Decem.^r 1758U. H. J.
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In Transmitting to you the Inclosed Duplicate of my Letter of the 9.th Instant I have the Kings Particular commands to Renew and enforce, in the Strongest Manner the necessity of a punctual Complyance with the orders therein contained & you will Accordingly urge in the most expessive Terms to the Council and Assembly of your Province the Importance of their exerting themselves in the present Critical & decisive moment, in Which their own Interests and Security are so nearly concerned that it would Seem Superfluous to Add the further Motives of their duty to the King, and of the Gratitude they owe to this Country, for the very great expence and Succours Supplied for their Immediate Defence, and for the future Safety of all their Rights and possessions in America, and the Levyng the Men to be furnished by the Several Provinces, without any Delay, and in Such time that they may not fail to be at the Rendezvous that Shall be appointed for them so as to be ready to commence the operations by the 1st of May is so essential as well for Preventing the Extraordinary Efforts which it is Supposed the Enemy is preparing to make to Stop the further Progress of his Majestys Arms in America as for pushing with Success the ensuing Campaign, that it is the Kings Pleasure that you do employ the utmost Diligence and every means in your Power to forward and Expedite this Service in the most effectual Manner and to avoid any Disappointment happening from the Slowness of the Levies, or from the Men who shall be Raised not Proceeding in due time to the Rendezvous ; with Regard to the Expences incurred by your Province for the Last Campaign I am further to Acquaint you that as soon as the Agents of the Respective Provinces duly authorized shall Produce the Necessary Documents the Same will Without Delay be recommended to Parliament for a Reasonable Compensation agreeable to the Gracious Assurances which the King was pleased to Allow me to give in my Letter of the 30th December Last Year.

I am Sir your most Obedient Humble Serv.^t

W. Pitt

Sir

New York 18 March 1759

It having become Necessary, by the Demise of Brig.^r Gen. Forbes, that an Officer of Rank and Experience shoud without Loss of time proceed to Pensylvania to take on him the Command of his Majestys Regular Troops and those to be raised by the Southern Provinces to Act in Conjunction for the Security and Defence of those provinces, or otherwise as Opportunities shall Offer or the Exegencies may require, I have thought it for the Good of his Majestys Service to Appoint Brig.^r Gen. Stanwix to that Command and he does Accordingly set out tomorrow for Philadelphia to take upon him

U. H. J.
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the Same. I am therefore to request of you that during Such his Commands, you will upon every emergent Occasion, Correspond and Co-operate with him in the Same Manner as you are enjoined by M^r Secretary Pitts Letter to do with me, which must Prove of Great Benefit to the Publick Service, as from my Removal from hence into the back Country whether I may be called Soon it might Prove very Prejudicial to the Safety and Security of the Southern Provinces to wait for the Answers to any of the Letters you may have Occasion to Write to me in Relation thereto, & I have Accordingly directed Brig.^r Gen. Stanwix to Correspond and Co-operate with you in Like Manner

I am with great Regard S.^r
your most Obed.^t
Humble Serv.^t
Jeff Amherst

Mess.^{rs} Dulany and Worthington Attend with Doctor George Steuart a member returned for the City of Annapolis to see him qualified, who takes the Oaths to the Government Appointed to be Taken by Act of Assembly repeats and Subscribes the Abjuration and test and then Withdraws.

p. 403 Adjourned till to Morrow Morning 10 of the Clock.

April 5

Thursday Morning 5.th April 1759.

This House met again according to Adjournment
Present as Yesterday and Col.^o Goldsborough
Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem
This House met again according to Adjournment

Present as in the Morning

Benjamin Tasker Esq.^r Attended by the Members of this House Presents to his Excellency the Address of this House which follows in these words

To his Excellency Horatio Sharpe Esq.^r Governor and Commander in Chief in and over the province of Maryland.

The Humble Address of the Upper House of Assembly

May it Please your Excellency

We beg leave to Return your Excellency our thanks for your Speech at the Opening of this Session, and to express our Gratefull Sense of his Majestys Concern to Improve the great and important Advantages gained the Last Campaign as well as to repair the Disappointment at Ticonderoga and by the most Vigorous and

extensive efforts, to avert by the blessing of God on his Arms all Dangers which may threaten North America from any future Irruptions of the French: and we do very truly Assure your Excellency, that we shall Continue to Exert our best endeavours for Seconding his Majestys intentions, by Yielding a Clearfull and ready Concurrence to all just and reasonable Measures, which shall be proposed to us, for raising with all possible Dispatch, as large a Body of Men as the Circumstances of this Province will allow to Act in Conjunction with such of his Majestys Regular Troops as may during this Campain, be employed against his Enemys on this Continent and we do most Sincarly hope and desire that by a ready and Dutifull Performance of the Service, now so earnestly Recommended, Some amends may be made for the failure of Last Year

U. H. J.
Liber No. 35
April 5

B Tasker president

Adjourned till to Morrow Morning 10 of the Clock

Friday 6 April 1759.

April 6

This House met again according to Adjournment

Present as Yesterday

The Governor is Pleased to Communicate to this House his Answer to their Address in the following words

Gentlemen of the Upper House of Assembly

I Return you thanks for your Address and the Assurance you give me that having a Great Sense of our most Gracious Sovereigns Concern to improve the Great and important Advantages gained p. 404 the Last Campaign you will continue to Exhert your best endeavours for Seconding his Majestys intentions: and I am not without hopes that such just and reasonable Measures, for raising the Necessary Supplies will now at length be Proposed as may meet with your ready and chearful Concurrence

Hor.^o Sharpe

Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning 10 of the Clock.

Saturday Morning 7 April 1759.

April 7

This House met again According to Adjournment

U. H. J.
Liber No. 35
April 7

Present as Yesterday.
Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem
This House met again According to Adjournment
Present as in the Morning
Adjourned till Monday Morning 10 of the Clock.

April 9

Monday Morning 9th April 1759
This House met again according to Adjournment

Present
The Honble { Benjamin Tasker Esq. } Col.º Goldsborough
 { Colº Hammond } D. Dulany
 { Colº Tasker } S. Bordley

Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem
This House met again according to Adjournment

Present as in the Morning
His Excellency the Governor Communicates to this House the
following Letters Viz.^t

Sir.

Whitehall 23.^d January 1759.

p. 405

I am now to Acquaint you that the King has been pleased immediately upon the receiving the Account of the Success of his arms on the River Ohio to direct the Commander in Chief of his Majestys Forces in North America and Brig. Gen Forbes to lose no time in Concerting the Properest and Speediest Means for Compleatly Restoring if possible the Ruened Fort Duquesne to a Defensible and respectable State or for erecting another in the room of it of Sufficient Strength & every way Adequate to the Great Importance of the Several Objects of Maintaining his Majestys Subjects in the undisputed Possession of the Ohio, of effectually cutting off all Trade and Communication this way between Canada and the Western and Southern Indians, of protecting the British Colonies from the Incursions to which they have been Exposed Since the French built the above Fort, and thereby made themselves Masters of the Navigation of the Ohio, and of fixing again the Several Indian Nations in their Alliance with and Dependance upon his Majestys Government, and the Province under your Command is so particularly and nearly Interested in the Speedy Execution of this great and Salutary Work that it will be matter of no Small Surprize and must Reflect the

Greatest blame on their Conduct, should they in any point fail to Assist to the Utmost the Kings Officers who shall be employed on this Occasion: I have therefore the Kings Commands to Signify to you his Pleasure that you should Use your utmost endeavours with your Council and Assembly to induce them to Exert every means in their Power for Collecting and forwarding the Matteringials of all Sorts and the Workmen which shall be wanted and which the Commander in Chief in North America or Brig.^r Gen Forbes shall require for this Service, and that your Province do also furnish every other Assistance of men Cattle Carriages &c.^a &c.^a that Shall be necessary for the Support and Maintainance of the Kings Forces that Shall be employed in this essential Work, as well as in all Farther operations to be undertaken in those parts the ensuing Campaign

U. H. J.
Liber No. 35
April 9

I am Sir your most Obedient
Humble Serv.^t
W. Pitt

New York 28 March 1759.

Sir

With my Dispatches from M.^r Secretary Pitt this Moment Received by the Hallifax Packet Came the enclosed for you, by which you will see, that the King has been pleased to direct me, and Brig.^r Gen. Forbes to lose no time in concerning the Properest and Speediest Means for Compleatly Restoring, if possible the Ruened Fort Duquesne to a Defensible and respectable State or for erecting another in the Room of it of Sufficient Strength and every way adequate to the Great importance of the Several Objects in the undisputed possession of the Ohio; of effectually calling off all Trade and Communication this way between Canaday and the Western and Southern Indians of protecting the British Colonies from the Incursions to which they have been exposed since the French Built the above Fort and thereby made themselves Masters of the Navigation of the Ohio, and of fixing again the Several Indian Nations in their Alliance with and Dependance upon his Majestys Government, for all which wise and good purposes, it is his Majestys pleasure, that you should use your utmost endeavours with your Council and Assembly to Induce them to Exert every means in the power for Collecting and forwarding the Materials of all sorts and the Workmen which shall be wanted and which the Commander in Chief in North America or Brig Gen Forbes shall require for this Service and that your Province do also furnish every other Assistance of Men Cattle, Carriages provisions &c.^a &c.^a that shall be Necessary for the Support and Maintainance of the Kings Forces that shall be employed in the Essential Work, as well as in all farther operations to be Undertaken in those parts the Ensuing Campaign

p. 406

U. H. J.
Liber No. 35
April 9

These directions being so full and Explicit leave me nothing further to Add to them than my Warmest Wishes and hopes that they will meet with a Speedy and Vigorous Execution as well on the part of your Province as of those of Virginia and Pensylvania who are equally with you so Particularly and nearly Interested therein, and to whom the Same is Likewise recommended in the Strongest Terms. And as I have already Signified to you that I had Appointed Brig.^r Gen Stanwix to Succeed Brig Gen Forbes in the Command to the Southward and desired of you to Correspond and Co-operate with him on every matter relative to the Service in those parts. I am now to request you, that all the Aid and Assistance required of you by M Secretary Pitts within Letter, in Favour of the Late Brig.^r Forbes may be granted to Brig.^r Stanwix to enable him in the most Expedicious Manner to Execute the before mentioned great and Salutary Work or any other that may be found Necessary for the good of the Service, and that you would look upon whatever he may ask or require of your Province, during his Continuance in that Command as Coming from my Self.

I am with great Regard.

Sir your most Obed.^t humble Serv.^t

Jeff Amherst

Dear Sir

Philadelphia 2.^d April 1759.

As I have the Pleasure to forward to you M^r Secretary Pitts Letter and one from General Amherst so I would not miss the Opportunity of paying you my respects and at the Same time expressing the hopes I have still that the Council and Assembly of Maryland under your Influence will use every expedicious means in their Power to forward the Military Preparations so Strongly Recommended from his Majesty by M Pitt that the great ends expected from the vigorous and Offensive Measures to be Pursued to reduce the Common Enemy to Build a respectable Fort at or near Fort Duquesne and to Secure the Country towards the Ohio now in our Possession may be effected, and as these are measures which I should think will be more than ordinarily agreeable to the Southern Provinces so I hope it will have that effect upon Maryland which his Majesty at this time requires and hope to be able out of the Forces you will raise to get four good Companies of Rangers so Necessary for Carrying on the Service; in which I am told your Province abounds, It will be a great Pleasure to me to hear you had a pleasant Journey home and that you'll believe me

Dear Sir, Your most Obed.^t & most Humble Serv.^t

John Stanwix

Mess.^{rs} Wagaman and Harris attend with M^r Parker Selby a Member returned for Worcester County to See him Qualified who

takes the Oaths to the Government appointed to be Taken by Act U.H.J.
of Assembly repeats and Subscribes the Abjuration and Test and Liber No. 35
then Withdraws April 9

A Message from the Lower House by Mess.^{rs} Dulany and Hanson. p. 407

By the Lower House of Assembly 9 April 1759

May it Please your Honours.

This House hath appointed Mr Dulany Mr Earle, Mr Loyd Alexander Williamson Esq. Mr Worthington, Mr Hanson, Mr Plater and Mr Beall a Committee from this House to inspect the Office and Proceedings of the Commissioners for emitting Bills of Credit Established by Act of Assembly and Desire your Honours will Appoint one or more of the members of your House to join in the said Committee.

Signed p order MMacnemara Vl Lo Ho.

Adjourned till to Morrow Morning at 10 of the Clock.

Tuesday Morning 10 April 1759.

April 10

This House met again According to Adjournment

Present as Yesterday

Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again According to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 11 April 1759.

April 11

This House met again According to Adjournment

Present as Yesterday and Richard Lee Esq.

Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again According to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning 10 of the Clock:

Thursday Morning 12 April 1759

April 12

This House met again According to Adjournment

U. H. J.
Liber No. 35
April 12 Present as Yesterday
Adjourned till 3 of the Clock in the afternoon

Eodem die Post Meridiem
This House met Again According to Adjournment
Present as in the Morning
Adjourned till to Morrow Morning 10 of the Clock

April 13 Friday Morning 13 April 1759.
This House met again According to Adjournment
Present as Yesterday
Adjourned till 3 of the Clock in the afternoon

Eodem die post Meridiem
This House met Again According to Adjournment
Present as in the Morning
A Message from the Lower House by Mess.^{rs} Williamson and Beall

p. 408 By the Lower House of Assembly 13 April 1759.
May it Please your Honours

We are sorry our duty obliges us to put your Honours in mind that we have not yet received any Answer to our Message of the Ninth Instant Acquainting you that we had Appointed several Gentlemen therein named to join one or more members of your House in a Committee to Inspect the Office and Proceedings of the Commissioners or trustees for emitting Bills of Credit Established by Act of Assembly, we hope your Honours will not give any further delay to a Matter of Such importance

Signed p order. M Macnemara Cl Lo Ho

The following Message is sent to the Lower House by Stephen Bordley Esq.

By the Upper House of Assembly 13 April 1759.
Gentlemen

This House hath Appointed Richard Lee Esq. to join the Members named by your House in a Committee to Inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office

Signed p Order J Ross Cl Up Ho

Adjourned till to Morrow Morning at 10 of the Clock

Saturday Morning 14 April 1759.

This House met again according to Adjournment

U. H. J.
Liber No. 35
April 14

Present as Yesterday

Adjourned till Monday Morning 10 of the Clock

Monday Morning 16 April 1759.

April 16

This House met again According to Adjournment

Present

The Honble { Benjamin Tasker Esq. } Col^o Goldsborough
 { Col^o Tasker } D. Dulany Esq.
 { Richard Lee Esq. } S. Bordley Esq.

A Bill from the Lower House by M^r Sullivane and five others Entituled an Act for Granting a Supply of £60000 for his Majestys Service and the more immediate defence and Security of the frontier Inhabitants of this Province and emitting £49000 thereof in Bills of Credit and raising a Fund for Sinking and replacing the Whole by an equal Assessment on all Estates Real and Personal and Lucrative Offices and Imployments thus endorsed.

By the Lower House of 13.th Ap.¹ 1759.

Read the first Time and ordered to lye on the Table,

Signed p order MMacnemara Cl Lo Ho

By the Lower House 14.th April 1759.

Read the Second time by Especial order and will pass.

Signed p Order M Macnemara Cl Lo Ho

Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again According to Adjournment

Present as in the Morning and B. Calvert Esq.

p. 409

Read the first time in this House the aforesaid Bill and will not Pass, Sent with the following Message to the Lower House by D. Dulany Esq.

By the Upper House of Assembly 16 April 1759.

Gentlemen

We this Morning Received from your House the Bill entituled an Act for Granting £60000 &c^a and finding it in all its Material parts the Same which had in four Different Sessions before been sent up to and as often Returned with a Negative we this Morning upon a single reading sent it down again to you with a negative but your

U. H. J. House not being then sitting has occasioned your not receiving it
 Liber No. 35 Sooner and we therefore hope no neglect of the Publick Business
 April 16 will be imputed to us Gentlemen the season for Action being near
 there is no time to be Lost Dispatch (if any thing is now intended
 to be done) is Absolutely necessary

Signed p order J Ross Cl Up Ho

Adjourned till to Morrow Morning 10 of the Clock.

April 17

Tuesday Morning 17. April 1759

This House met again According to Adjournment
 Present as yesterday and Col^o Hammond

His Excellency the Governor Communicates to this House the
 following Letter Report of the Board of Trade and order of
 Council about Exportation of Corn &c.^a

Gentlemen of the Upper House of Assembly

I have lately Received Instructions from the Right Honble the
 Lord Proprietary to inform you that in Compliance with the joint
 request of both Houses of Assembly made known to him by an
 Address dated the [14th] of December 1757 he delayed not to present
 the Petition & representation that were at the Same time Trans-
 mitted, the first of which was Addressed to the Kings most Excellent
 Majesty and the Other to the Right Honourable the Lords Com-
 missioners of Trade and Plantations. I am Likewise Commanded
 by his Lordship to Inform you that altho the Lords of the Com-
 mittee of his Majestys privy Council to whom the said Petition
 and representation were referred did not at that Juncture think it
 Adviseable to permit Corn &c. to be Exported from this and his
 Majestys other Colonies in America to the Madeiras and to the
 European Dominions of Princes and States in Amity with his
 Majesty, yet that he is not without hopes of Succeeding on An-
 other Application which he will not fail to make at a Seasonable
 Time, and his Lordship is further pleased to order me to Assure
 you that as he used his Utmost Endeavours on this Occasion to
 Obtain the Completion of your Desires so he will Embrace every
 Opportunity to Convince you and all his good Tenants how much
 it is his Care and Study to promote your Prosperity and Happiness.

17th April 1759.

Hor^o Sharpe

To the Right Honourable the Lords of the Committee of his
 Majestys most Honble Privy Council for Plantation Affairs
 My Lords.

Pursuant to your Lordships order, dated the 22^d of June Last
 p. 410 We have taken into our Consideration the Humble Petition of the

Upper and Lower Houses of Assembly of the Province of Maryland, to his Majesty, Setting forth the Distresses the Inhabitants of that Province Labour under by the Restrictions laid upon the Trade and Commerce of his Majestys Plantations and Colonies in America by an Act of Parliament passed in the 30 Year of his Majestys Reign for prohibiting the Exportation of Grain and other Provisions from his Majestys Colonies and Plantations in America unless to Great Britain or Ireland or to Some of the said Colonies and Plantations." And Humbly Praying that his Majesty will be Graciously pleased to Exercise the Power which the Legislature has placed in his Majesty to the relief of the good People of that Province, in such manner as may be most agreeable to his Royal Will and Pleasure, we have also considered the full and Clear Representation of this Matter mentioned in the said Petition to have been Transmitted to us by the said House of Assembly and we beg to lay before your Lordships the Annexed Copy of it. Your Lordships will Observe that the request contained in the said Representation Consists of two parts

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April 17

1.st to be Relieved from the restrictions and Conditions under which the said Act of Parliament Permits the Exportation of Grain and other Provisions from any one to any other of his Majestys Colonies and to Great Britain and Ireland

2.^d To be permitted to export the Like Commodities to Countrys whereto Such Exportation is by the said Act Prohibited namely to the Maderias Cadiz and Lisbon.

Upon a full Consideration of the Act of Parliament it appears to us, that the Power thereby vested in his Majesty relates entirely to the Latter of these points and does not as we Humbly Conceive, extend to the former this However must be Submitted to your Lordships Judgment, But as the Hardships alledged to result from the restrictions imposed by this Act cannot be Peculiar to Maryland, but must be equally felt by such other of the Colonies as raise great quantities of Provisions, as the granting such an Exemption to one Colony, would Naturally encourage the rest to Ask and expect a Like Indulgence which if it became General would defeat the Great Object of the said Act of Parliament; and as the very Allegations of the petition appear to us to prove the necessity of the said Restrictions, we cannot think it Adviseable that the first Part of the request should be Complied with.

With respect to the latter point, we beg leave to Observe to your Lordships that as the said Act of Parliament was passed in a time of Scarcity in this Kingdom, the removal of that grievance may be presumed to have been one of the Objects Proposed by the Legislature in Passing it, And if your Lordships should be of Opinion that the Evil is remedied in Such a Degree, as that this Country has no further Occasion for Supplies of Corn or other provisions from the

U. H. J. Colonies in North America we see no reason why his Majesty may
 Liber No. 35 not be graciously Pleased to Permit the Inhabitants of the said
 April 17 Colonies to Export their Corn and other Provisions to the Madeiras
 p. 411 and to the European Dominions of Princes and States in Amity
 with his Majesty but we are Humbly of Opinion that Such
 Exportation should only be Permitted under the Restrictions which
 the said Act of Parliament Prescribes for regulating the Exportation
 from the Colonies to any other part of his Majesty's Dominions,
 and that they should be inserted, with such Alterations as the
 Circumstances of the different Cases may require in the Proclama-
 tion or order in Council, Whereby his Majesty may think Proper
 to grant Such Permission those Restrictions would as we Conceive
 effectually prevent the Fraudulent Conveyance of any such Pro-
 visions directly to the Ports of the Enemy and the great Expence
 of a Double Freight on Comodities so bulky, would it may be Pre-
 sumed, prevent their being carried thither by a Second Voyage

We are, My Lords

Your Lordships most Obed.^t
 Humble Serv.^{ts}

Signed Dunk Halifax
 James Oswald
 W. G. Hamilton

Whitehall Council Office 23^d Aug.^t 1758.

My Lord

The Petition of the Upper and Lower Houses of Assembly of Maryland to the King, Praying to be Permitted to Export Corn &c.^a having upon your Lordships Application been referred by his Majesty to the Lords of the Committee of his Privy Council their Lordships took the Same into their Consideration and Observing that mention was made therein that a full representation of this matter had been Transmitted to the board of Trade their Lordships therefore thought Proper to refer the said Petition to that Board to Consider, the whole of this affair, and report their opinion thereupon: which the said Board having accordingly done I transmit herewith a Copy of their report, that your Lordship may be apprized of what the said Board have proposed to be done, your Lordship will be pleased to Observe that they have reported against Complying with that part of the Petition which prays to be relieved from the Restrictions under which the Act of Parliament permits the Exportation of Grain &c. to great Britain Ireland or the Plantations and as to the other part of the Petition which prays leave to export Corn &c.^a to places Prohibited by the said Act, the Board of Trade have given no Opinion thereupon, but say that as the Scarcity of Corn in this Kingdom was the Occasion of passing the said Act, if the Lords of the Committee should be of Opinion that this Country

has no further Occasion of Supplies of Corn or other provisions from the Colonies in North America that then they see no reason why his Majesty may not permit the Inhabitants of the said Colonies to Export their Corn and other Provisions to the Madeiras and to the European Dominions of Princes and States in Amity with his Majesty. and I am now to Inform your Lordship of the Committee of Council have met and taken the said Report into their Consideration, and are of opinion, that it is not Adviseable to Permit Corn &c.^a to be exported from his Majestys Colonies in America to the Madeiras and to the European Dominions in Amity with his Majesty at this Juncture and have therefore ordered, that the further Consideration of the said Report should be Postponed to a future time

U. H. J.
Liber No. 35
April 17

p. 412

I am with great Respect, your Lordships
most Obedient Humble Servant
W.^m Sharpe

Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem
This House met again According to Adjournment

Present as in the Morning.

A Bill from the Lower House by Mess.^{rs} Mackall or Worthington Entituled an Act to raise a Fund to be applied for the payment of an agent for this Province thus Indorsed,

By the Lower House 16 April 1759.

Read the first time and ordered to ly on the Table,

Signed p Order MMacnemara Cl Lo Ho

By the Lower House 17 April 1759

Read the Second time and will pass,

Signed p order, MMacnemara Cl Lo Ho.

Read the first time in this House and will not Pass, and Sent by Col. Goldsborough

Col.^o Tasker and Benedict Calvert Esq. are sent to acquaint the Speaker that his Excellency requires his immediate attendance with the Lower House in the Upper House.

The Lower House Attend and his Excellency was Pleased to Conclude this Covention with the following Speech.
Gentlemen of the Lower House of Assembly

After the Resentment you have expressed at my endeavours to remind you of, and Exhort you to, the Discharge of your Duty, when you seemed to have lost sight of it in the too eager and unseasonable pursuit of other objects and after you have explicitly resolved to admit of no Propositions to provide for his Majestys

U.H.J. Service upon any other Plan than that of which you had experienced the certain Impracticability in the Miscarriages of the Same Bill five times, in as many Successive Sessions I have not the least Glimmering of hope, however Expressive of Zeal your professions have been, and interesting the Occasion, that you will entertain any Disposition to make amends for your former failures, and therefore as a Continuation of this Session would only Augment the very unprofitable and heavy expence you have Already imposed on your Constituents; a regard to their Ease has determined me by and with the Advice of his Lordships Council of State to put a period to it, by prorogueing this Assembly to Monday the Sixteenth of July next and you are to take notice you are Prorogued to that day Accordingly.

Thus ends this Convention of Assembly begun and held at the City of Annapolis on Wednesday the fourth day of April and ending the 17.th day of the Same Month in the Eighth Year of his Lordships Dominion Annoq^b Domini 1759.

J Ross Cl Up Ho

PROCEEDINGS
OF THE
LOWER HOUSE OF ASSEMBLY

At a Session of Assembly held at the City of Annapolis, on Wednesday the 4th Day of April, in the Year One Thousand Seven Hundred and Fifty-nine, and in the Eighth Year of the Dominion of the Right Honourable Frederick, Absolute Lord and Proprietary of the Provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. (his Excellency Horatio Sharpe, Esq; being Governor), the following Delegates appeared in the Lower House of Assembly, viz.

L. H. J.
Liber No. 51
1759
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p. 100

The Honourable Col. Henry Hooper, Speaker.

For St. Mary's County,

Mr. George Plater,
Mr. Edmund Key,
Mr. Thomas Greenfield.

For Dorchester County,

Mr. Daniel Sulivane,
Col. Henry Travers,
Mr. Charles Goldsborough.

For Kent County,

Alexander Williamson, Esq;
Major William Hynson,
Mr. Richard Gresham.

For Baltimore County,

Capt. Thomas Cockey Deye,
Mr. William Govane,
Mr. Samuel Owings.

For Anne-Arundel County,

Capt. John Gassaway,
Mr. Charles Carroll,
Mr. Brice T. B. Worthington.

For Cæcil County,

Mr. Henry Ward.

For Prince-George's County,

Mr. William Murdock,
Mr. Francis King,
Mr. Josias Beall, junior.

For Charles County,

Mr. John Hanson, junior,
Mr. John Trueman Stoddert.

For the City of Annapolis,

Mr. Walter Dulany.

For Somerset County,

Mr. Samuel Wilson.

For Queen-Anne's County,

Col. Edward Tilghman.

For Talbot County,

Mr. John Goldsborough,
Mr. Pollard Edmondson,
Mr. Samuel Bowman.

For Frederick County,

Capt. Joseph Chapline,
Mr. Edward Dorsey.

L. H. J.
Liber No. 51
April 4
p. 101 A sufficient Number of Delegates to compose a Lower House of Assembly, being convened at the Stadt-House; Ordered, That Mr. John Goldsborough and Col. Tilghman do acquaint his Excellency the Governor therewith. They return and acquaint Mr. Speaker, They delivered the Message.

Col. Hammond, and Col. Tasker, from the Upper House, acquaint Mr. Speaker, That the Governor requires the Attendance of the Members of the Lower House in the Upper House immediately.

Mr. Speaker left the Chair, and (with the Rest of the Members of the Lower House) attended his Excellency in the Upper House; where he made the following Speech, viz.

Gentlemen of the Upper and Lower Houses of Assembly,

His Majesty having nothing so much at Heart, as to improve the great and important Advantages gained the last Campaign, as well as to repair the Disappointment at Ticonderoga, and by the most vigorous and extensive Efforts, to avert, by the Blessing of God on his Arms, all Dangers which may threaten North-America, from any future Irruptions of the French, and not doubting but all his faithful and brave Subjects here, will chearfully co-operate with, and second, to the utmost, the extraordinary Succours supplied by the Kingdom of Great-Britain for our Preservation and Defence: He hath been pleased to order the Right Honourable William Pitt, Esq; one of his principal Secretaries of State, to write to the Governors of these Colonies, and require them once more to convene the General Assemblies of their respective Provinces, and urge them to raise, with all possible Dispatch, as large a Body of Men as the Circumstances of each Province will allow, to act in Conjunction with such of the King's Regular Troops, as may, during the ensuing Campaign, be employed against his Enemies on this Continent: In Obedience therefore to his Majesty's Commands, so signified to me, I meet you again at this Time, and that you may the better know what is expected from us, I shall lay before you several Letters that I have lately received from the Secretary of State, and from General Amherst; the Contents whereof will, I hope, induce you to embrace the Opportunity which now presents itself, the last probably that you will have of making Amends, in some Sort, for your Failure last Year, by a ready and dutiful Performance of the Service, which, in Pursuance of his Majesty's Commands, is now so earnestly recommended to us.

A Copy of which the Governor delivered to Mr. Speaker.

Mr. Speaker (with the Rest of the Members) returned to the Lower House, and re-assumed the Chair.

Ordered, That his Excellency's Speech be Read, which accordingly was, and ordered to lie on the Table.

His Excellency the Governor communicated to Mr. Speaker, the following letters viz.^t

Sir,

Whitehall 9th Dec^r 1758

L. H. J.
Liber No. 51
April 4

His majesty having nothing so much at Heart as to improve . . .
[The letter beginning thus, signed by William Pitt, is printed in full
in Upper House Journal pp. 142-144]

Sir:

Whitehall 29th Dec^r 1758 pp. 106-107

In Transmitting to you the inclosed Duplicate of my letter . . .
[The letter beginning thus, signed by William Pitt, is printed in full
in Upper House Journal p. 145]

Sir:

New York Dec^r 13, 1758 pp. 108-109

The King having been pleased to appoint me Commander . . .
[The letter beginning thus, signed by General Jeffrey Amherst, is
printed in full in Upper House Journal p. 144]

Sir:

New York March 18 1759 p. 110

It having become necessary by the Demise of Brig^r Gen Forbes . . .
[The letter beginning thus, signed by General Jeffrey Amherst, is
printed in full in Upper House Journal pp. 145-146]

Which were severally read and Ordered to lie on the table.

p. 111

Doctor George Steuart, a Delegate returned by the Mayor, Recorder and Aldermen of the City of Annapolis, to serve in the General Assembly of this Province, appeared in the House.

Ordered, That Mr. Dulany and Mr. Worthington do go with him to the Upper House, to see him Qualified. They return and acquaint Mr. Speaker, They saw him Qualified in the usual Manner.

The Gentleman took his Seat in the House.

Resolved, That the Rules ordered to be observed by the several Members of this House last Session, be observed as such during this Session.

Resolved, That the Hours of Sitting this Session, for Dispatch of Public Business, be from Eight of the Clock in the Morning until Twelve, and from Two of the Clock Afternoon until Six.

Ordered, That Doctor Steuart do acquaint the Reverend Mr. Clement Brooke, That he is requested by this House to Read Divine Service daily, during this Session, at a Quarter before Eight of the Clock in the Morning, and at Six of the Clock in the Evening.

Ordered, That his Excellency's Speech be again Read; which was accordingly; and, Ordered, That an Address be prepared to the Governor thereon; and that Mr. Charles Goldsborogh, Col. Tilgh-

L. H. J. man, Mr. Murdock, Mr. Carroll, Mr. Dorsey, and Mr. Dulany, do
 Liber No. 51
 April 4 prepare and bring in the same.

The House adjourns till the Morrow Morning at Eight of the Clock.

April 5

Thursday, 5th April, 1759.

p. 112 The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Mr. Dent and Mr. Mauldin appeared in the House.

Mr. Murdock brings in and delivers to Mr. Speaker, an Address to the Governor; which was Read the first Time, and Ordered to lie on the Table.

Ordered, That the Gentlemen continued on the several standing Committees last Session, be continued thereon this Session.

The House adjourns till 2 of the Clock.

Post Meridiem. The House met according to Adjournment, &c.

On Motion, the Address to the Governor being Read the second Time, was approved, and ordered to be Ingrossed.

Col. Tilghman brings in and delivers to Mr. Speaker, the following ingrossed Address, viz.^t

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland:

The humble Address of the House of Delegates.

May it please your Excellency,

We, his Majesty's most dutiful and loyal Subjects, the Delegates of the Freemen of Maryland, in Assembly convened, return your Excellency our Thanks for your Speech at the Opening of this Session.

p. 113 His Majesty's paternal Solitude, to improve the great and important Advantages gained the last Campaign, to repair the Disappointment at Ticonderoga, and by vigorous and extensive Efforts to avert all Dangers which may threaten North-America from any future Irruptions of the French; and the Confidence he has been pleased to express, that all his faithful and brave Subjects here will co-operate with, and second to the utmost, the extraordinary Succours supplied by the Kingdom of Great-Britain for our Preservation and Defence; demand the warmest Acknowledgments from every Well-wisher to the British Interest.

Animated by a just Sense of our Duty to the best of Kings, of Gratitude to our Mother Country, and the powerful Motive of Security to Ourselves and our Fellow-Subjects, we shall once more exert our Endeavours to comply with his Majesty's Royal Expectations, and the Requisitions of his General, signified in the Letters which you have been pleased to lay before us.

And we hope, whoever may have occasioned a Failure last Year, will be induced by the Contents of those Letters, to embrace the Opportunity which now presents itself (especially as your Excellency is pleased to say it will probably be the last they may have) of making in some Sort Amends, by a ready Concurrence with every equitable Proposal which may be made for promoting his Majesty's Service, now so warmly recommended to us.

Which was Read and Assented to, and Signed, by Order of the House, by the Honourable Speaker. p. 114

Ordered, That Mr. Murdock, and Mr. Carroll, do acquaint the Governor, that this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it. They return and acquaint Mr. Speaker, that the Governor signified he would receive the Address half an Hour hence, in the Council Chamber.

Ordered, That Alexander Williamson, Esq; with Five more, do present the Address.

On Motion, Leave given, to bring in A Supplementary Bill to the Act, entituled, An Act for the Advancement of Justice:

Ordered, That Mr. Key and Mr. Carroll do prepare and bring in the same.

On Motion, Leave given, to bring in a Bill To reduce the Interest of Money and Tobacco :

Ordered, That Mr. Key, Col. Tilghman, and Mr. Murdock, do prepare and bring in the same.

A Petition of Nicholas Maccubbin, of the City of Annapolis, Merchant, complaining of an undue Election and Return, made by the Mayor, Recorder and Aldermen of the City of Annapolis aforesaid, of Dr. George Steuart, as a Delegate for the said City, was Read the first Time, and Ordered to lie on the Table.

On Motion, the Petition of Nicholas Maccubbin was again Read; and, thereupon Ordered, That an Hearing on the said Petition be had at the Bar of this House on Monday next at Eight of the Clock in the Morning, being the Ninth Instant.

Ordered, That Lists of the Controverted Votes, shall be mutually exchanged between Nicholas Maccubbin and Dr. George Steuart, on Saturday the Seventh Instant, by Twelve of the Clock at Noon, with the particular Objections which they intend to insist upon, set against the Name of each Person whose Vote they intend to Dispute; and that such Lists shall be respectively confined to such Voters as were objected to at the place of their giving their respective Votes. p. 115

Ordered, That the Petitioner and the Sitting Member, have summons for all such Witnesses as they shall have occasion to produce at the Trial, on their Application to the Clerk of the House for the same.

L. H. J.
Liber No. 51
April 5

L. H. J. Resolved, That undue Influence, whether by Promises, Threats, Restraints, or otherwise, tho' not made a particular Objection to any Voter at the Time of Polling, should be examined into by the House during the Hearing of the Controversy on the Election, if objected against any Voters, in order to disqualify his Vote.
Liber No. 51
April 5

On Motion, Leave given, to bring in a Bill For the Trial of all Matters of Fact in the several Counties where they have arisen or shall arise:

Ordered, That Col. Tilghman and Mr. Hanson do prepare and bring in the same.

On Motion, Resolved, That this House do take into Consideration the Subject-Matter contained in his Excellency the Governor's Speech on the Morrow Afternoon.

p. 116 On Motion, Ordered, That the Mayor, Recorder and Aldermen of the City of Annapolis, do attend at the Bar of this House on Monday Morning next, being the Ninth Instant, at Eight of the Clock, and bring with them the Original Poll taken at the late Election for a Delegate of the said City.

The House adjourns till the Morrow Morning at 8 of the Clock.

April 6

Friday, 6th April, 1759.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Philip Hammond, Esq; appeared in the House.

On Motion, Leave given, to bring in a Bill To ascertain the Allowance of Jurors attending the Provincial Court, to limit Costs with respect to Witnesses, and for settling their Allowances as to itinerant Charges:

Ordered, That Mr. Beall, and Alexander Williamson, Esq; do prepare and bring in the same.

His Excellency the Governor communicated to Mr. Speaker, the following Message, viz.

Gentlemen of the Lower House of Assembly,

I return you Thanks for your Address, and the Professions you are pleased to make, that you will, at this Time, exert your Endeavours to comply with his Majesty's Royal Expectations, and the Requisition of his General: The Sincerity of which Professions you will, I hope, evince, by pursuing very different Measures, during the Course of this Session, from those which unhappily gave Occasion for the Censure contained in the Secretary of State's Letter.

6th of April, 1759.

Hor.º Sharpe.

p. 117 On Motion, That Mr. Samuel Wilson, who had been by Order of this House committed to the Custody of the Serjeant at Arms

attending this House last Session, to remain in his Custody until he complied with the following Order of the House, viz. (Ordered, That Mr. Wilson do ask the Pardon of the House, and that [of] Mr. Hammond, the Member particularly Reflected on by the Words spoken by him;) which not having been complied with, That such Order be now Renewed;

L.H.J.
Liber No. 51
April 6

Ordered, That Mr. Wilson do withdraw; which he accordingly did:

Thereupon the Question was put, That the Order against Mr. Wilson, be Renewed, unless he complied with the Order of the House made last Session. Resolved in the Affirmative.

For the Affirmative,

Williamson,	Hanson,	Mauldin,
Hynson,	Dent,	Murdock,
Gassaway,	Stoddert,	King,
Carroll,	Sullivan,	Beall,
Worthington,	Cockey Deye,	Tilghman,
B. Mackall,	Govane,	Chapline,
Gantt,	Owings,	E. Dorsey. [21]

For the Negative,

Plater,	J. Goldsborough,	Travers,
Key,	Edmondson,	Ward,
Greenfield,	Bowman,	Dulany,
Gresham,	C. Goldsborough,	Steuart. [12]

In Pursuance of the Resolution of the foregoing Question, it is ordered that the said Order be Renewed.

Ordered, That Mr. Wilson be called in; who appeared.

Mr. Speaker acquainted him, That, by Order of the House, he is committed to the Custody of the Serjeant at Arms, attending this House, and to remain in his Custody until he asks the Pardon of the House, and that of Mr. Hammond, the Member particularly Reflected on by the Words spoken by him the said Wilson. p. 118

Ordered, That the Serjeant at Arms do take Notice, that Mr. Samuel Wilson is committed to his Custody.

On Motion, That an Hearing on the Petition of Mr. Nicholas MacCubbin, for an undue Election and Return of the Mayor, Recorder and Aldermen of the City of Annapolis, of Doctor George Steuart, as a Delegate for the said City, be Referred until Thursday Morning next, being the 12th Instant, at Eight of the Clock;

Ordered, That the said Petition be Referred accordingly.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

L. H. J.
Liber No. 51
April 6

Mr. John Hammond Dorsey and Col. Cresap appeared in the House.

The Order of the Day being Read; the House took into Consideration the Subject-Matter contained in his Excellency the Governor's Speech, at the Opening of this Session; and the Question was put, That this House do make Provision for Levying, Cloathing and Paying 1000 Men, to act in Conjunction with the Forces under the Command of Brigadier General Stanwyx, the ensuing Campaign. Resolved in the Affirmative.

For the Affirmative,

Mess."s	Plater, Greenfield, Williamson, Hynson, Hammond, Gassaway, Carroll, Worthington, B. Mackall,	Gantt, Hanson, Dent, Stoddert, Sulivane, Travers, Cockey Deye, Govane, J. H. Dorsey,	Owings, Ward, Mauldin, Murdock, King, Beall, Tilghman, Chapline, E. Dorsey. [27]
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For the Negative,

Mess."s	Key, Edmondson, J. Goldsborough,	Bowman, C. Goldsborough, Steuart,	Gresham. [7]
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p. 119 On Motion, Resolved, That the Sum of £. 12 Bounty Money, be paid to each able-bodied Man that shall be enlisted by any Officer, and shall pass Muster, and serve under the Command of Brigadier General Stanwyx; and 20 s. be paid to each Officer who shall enlist such able-bodied Man.

Resolved, That 100 Men be raised, to act as Rangers, for the Protection of the Inhabitants on the Western Frontier of this Province.

On Motion, the Question was put, That the 100 Men to be raised, to act as Rangers for the Protection of the Inhabitants on the Western Frontier of this Province, be stationed at Fort Frederick. Resolved in the Negative.

For the Affirmative,

Mess."s	Williamson, Hammond, Gassaway, Worthington, Gantt,	Hanson, Stoddert, Travers, Cockey Deye, Govane,	J. H. Dorsey, Murdock, Tilghman. [13]
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Mess. ⁿ	For the Negative,	L. H. J. Liber No. 51 April 6
Plater,	J. Goldsborough,	King,
Key,	Edmondson,	Beall,
Greenfield,	Bowman,	Dulany,
Hynson,	Sulivane,	Steuart,
Gresham,	C. Goldsborough,	Chapline,
Carroll,	Owings,	E. Dorsey,
B. Mackall,	Ward,	Cresap.
Dent,	Mauldin,	
		[23.]

On Motion, That the further Consideration of the Subject-matter, contained in his Excellency the Governor's Speech, be Referred until the Morrow Morning at Eight of the Clock;

Ordered, That the same be Referred accordingly.

The House adjourns till the Morrow Morning at 8 of the Clock.

Saturday April 7th 1759

April 7

The House met according to Adjournment; The Members were p. 120 called, and all appeared as Yesterday. The Proceedings were Read.

Mr. Gibson appeared in the House.

The Order of the Day being Read; the House took into further Consideration the Subject-matter contained in his Excellency the Governor's Speech; And,

Resolved, That the Sum of £. 5 Bounty Money be paid, out of the Supplies to be raised, to each ablebodied Man who shall voluntarily enlist to act as a Ranger, for the Protection of the Inhabitants on the Western Frontier of this Province.

Resolved, That this House will, out of the first Supplies that shall be granted for his Majesty's Service, appropriate a Sum sufficient to repay the Money advanced last Year by General Forbes, for the Pay, Victualling and Cloathing of the Troops, formerly in the Pay of this Province, from the Time the Money granted for the Pay, Subsistence and Cloathing of the said Men, was expended, till the said Troops were taken into his Majesty's Service last Year by the said General Forbes, so far as the same shall appear to this House to be just and reasonable.

And it is further Resolved, That if it shall appear that General Forbes has not paid all the Money that may be due for the Pay, Victualling and Cloathing of the said Men, from the Time the p. 121 Money granted for that Purpose was expended, till the Time they were taken into his Majesty's Service, that then this House will make a Provision for what further Sum may be due for the Pay, Victualling and Cloathing of the said Men.

L. H. J.
Liber No. 51
April 7

Resolved, That this House will, out of the first Supplies that shall be granted for his Majesty's Service, appropriate a Sum sufficient to pay the Money advanced last Year by General Forbes, for the Pay and Cloathing of the Troops formerly in the Pay of this Province, and by him taken into his Majesty's Service, from the Time those Troops entered into the said Service, to the End of the last Campaign, so far as the same shall appear to this House just and reasonable.

p. 122

Resolved, That this House will make Provision for paying such of the Inhabitants of this Province as have, in Consequence of the Governor's Request, marched from any of the Counties of this Province, for the Defence of the Frontiers of this Province, since the March of General Braddock from Frederick-Town in Frederick County, or have Garrisoned the Forts of this Province since the Forces that have been raised by this Province, were taken by General Forbes from the said Forts into his Majesty's Service. And also that this House will make Provision for paying such Persons as have supplied Provisions and other Necessaries for the Use of the said Men, who have marched as aforesaid, or Garrisoned the said Forts, and for the Expence of the Carriage of such Provisions and other Necessaries.

Resolved, That such Provision be by the Appropriation of a Sum sufficient for the said Purposes, out of the first Supplies which shall be granted for his Majesty's Service.

Resolved also, That out of the said Supplies, shall be appropriated the following Sums, viz.^t

A Sum sufficient to reimburse such Persons as have been necessarily put to Expences on Account of Quartering his Majesty's Regular Troops in Cæcil, Kent and Anne-Arundel Counties.

A Sum not exceeding Two Hundred and Fifty Pounds, for clearing a Road from Fort Frederick to Fort Cumberland, thro' this Province, for his Majesty's Service, agreeable to the Report of a Committee appointed last Session to enquire into the Utility of such a Road.

p. 123

Ordered, That Mr. Murdock, Col. Tilghman, Mr. Carroll, Mr. Edward Dorsey, Mr. Hanson, Mr. Hammond and Mr. Charles Goldsborough, be a Committee to make an Estimate of the particular Sums necessary to be raised for answering the Purposes of the aforesgoing Resolves, and of the Resolves of this House made Yesterday, relative to his Majesty's Service; and that they make Report thereof to the House.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

Mr. Charles Goldsborough brings in and delivers to Mr. Speaker, the following Report, viz.^t

By the Committee appointed to make an Estimate of the particular Sums necessary to be raised for answering the Purposes of the Resolves of the Honourable House of Yesterday and this Day, relative to his Majesty's Service,

L. H. J.
Liber No. 51
April 7

The following is humbly submitted for Consideration:

	£ s d
Bounty-Money for 960 Men, at £. 12.....	11520 0 0
To the Officers for Recruiting 960 Men at 20 s.....	960 0 0
Cloathing for 960 Men, consisting of a Coat, a Pair of Breeches, a Pair of Stockings, 2 Shirts, a Hat, and one Pair of Shoes, each at £.3 5 0 p Man.....	3120 0 0
Pay of 1 Colonel 30 Days at 20 s.....	30 0 0
Ditto of 1 Lieutenant-Col. 30 Ditto at 17/6.....	26 5 0
Ditto of 1 Major 30 Ditto at 15 s.....	22 10 0
Ditto 10 Captains 30 Ditto at 10 s.....	150 0 0
Ditto 20 Lieutenants 30 Ditto at 6/8.....	200 0 0 p. 124
Ditto 10 Ensigns 30 Ditto at 5 s.....	75 0 0
Ditto 40 Serjeants 30 Ditto at 1/6.....	90 0 0
Ditto 40 Corporals 30 Ditto at 1/2.....	70 0 0
Ditto 10 Drummers 30 Ditto at 1/2.....	17 10 0
Ditto 870 private Centinels 30 Ditto at 9 d.....	978 15 0
Surgeon and Mate 30 Ditto at 10 s.....	15 0 0
5 Months Pay added,.....	8375 0 0
Victualling the above Men one Month,.....	1100 0 0
For Raising, Cloathing, Paying, and Subsisting 100 Men, Officers included, for the Frontier Service.	480 0 0
Bounty-Money for 96 Men at £. 5.....	312 0 0
Cloathing, consisting as above, for 96 Men, at £. 3 5 0.	15 0 0
Pay of 1 Captain 30 Days at 10 s.....	20 0 0
Ditto 2 Lieutenants 30 Ditto at 6/8.....	7 10 0
Ditto 1 Ensign 30 Ditto at 5 s.....	9 0 0
Ditto 4 Serjeants 30 Ditto at 1/6.....	7 0 0
Ditto 1 Drummer 30 Ditto at 1/2.....	1 15 0
Ditto 87 private Men 30 Ditto at 9 d.....	97 17 6
5 Months Pay added,.....	790 12 6
6 Months Subsistence at £. 110.....	660 0 0
96 Blankets at 15 s.....	72 0 0
Bowls, Spoons, and Knives,.....	10 0 0
Knapsacks for 96 Men,.....	15 0 0
10 Kettles,	5 0 0

L. H. J. For Liber No. 51 April 7	Reimbursing the Money advanced by General Forbes to Mr. Ross, for Victualling the Soldiers that had been enlisted in the Service of this Province, and the Money he advanced the said Men, the Payment of the Arrears due to them, and other Charges that have accrued on their Accounts,	} 14000 0 0
	For Quartering 500 Soldiers in the City of Annapolis, during the Winter 1757,	
	For Quartering Soldiers in Kent and Cæcil Counties in the Years 1756 and 1757, according to the gross Amount of the Accounts delivered in, about	
	For defraying the Expences of the several Companies of Volunteers, sent to the Frontiers at different Times,	
		6000 0 0
		£. 52152 15 0

p. 125 To striking the Money, and Commissions, &c. &c.

Signed p Order, Basil Dorsey, junior, Clerk.

Which was Read the first and second Time by especial Order, and the House concurs therewith.

Resolved, That the Sum of £60,000 be granted for his Majesty's Service, and the Defence and Protection of the Inhabitants of this Province.

On Motion, the Question was put, That the Sum of £60,000 be raised for his Majesty's Service, and the Defence and Protection of the Inhabitants of this Province, by an equal Assessment on all Estates, Real and Personal, and Lucrative Offices and Employments.
Resolved in the Affirmative.

For the Affirmative,

Mess. ^{rs}	Williamson, Hynson, Hammond, Gassaway, Carroll, Worthington, Gantt, Hanson,	Dent, Stoddert, Sulivane, Cockeye Deye, Govane, J. H. Dorsey, Owings, Ward,	Mauldin, Murdock, King, Beall, Tilghman, Chapline, E. Dorsey, Cresap.
			[24]

For the Negative,

Mess. ^{rs}	Plater, Key, Greenfield, Gresham,	B. Mackall, J. Goldsborough, Edmondson, Bowman,	Gibson, C. Goldsborough, Travers, Steuart,
			[12]

On Motion, Leave given, to bring in a Bill For Granting a Supply of £60,000 for his Majesty's Service, and the Defence and Protection of the Inhabitants of this Province, and for raising the same by an equal Assessment on all Estates, Real and Personal, and Lucrative Offices and Employments:

L. H. J.
Liber No. 51
April 7

Ordered, That Col. Tilghman, Philip Hammond, Esq; Mr. Carroll, p. 126
Mr. Edward Dorsey, Mr. Murdock, and Alexander Williamson,
Esq; do prepare and bring in a Bill accordingly.

Mr. Murdock, Mr. Gassaway and Mr. Plater, have Leave of Absence till Monday.

Philip Hammond, Esq; hath Leave of Absence till Wednesday next.

The House adjourns till Monday Morning at 8 of the Clock.

Monday, 9th April, 1759.

April 9

The House met according to Adjournment: The Members were called, and all appeared as on Saturday, except Philip Hammond, Esq; and Mr. Gantt. The Proceedings were Read.

Major Waggaman, Mr. Earle, and Mr. Tilden, appeared in the House.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

Mr. Sothoron, Mr. J. J. Mackall, Mr. Waters, Mr. Thomas Harris, Mr. Benton Harris and Mr. Crabb, appeared in the House.

The following Message:

By the Lower House of Assembly, April 9, 1759.

May it please your Honours,

This House hath appointed Mr. Dulany, Mr. Earle, Mr. Lloyd, Alexander Williamson, Esq; Mr. Worthington, Mr. Hanson, Mr. Plater, and Mr. Beall, a Committee from this House to Inspect the Office and Proceedings of the Commissioners or Trustees for Emitting Bills of Credit, established by Act of Assembly; and desire your Honours to appoint one or more of the Members of your House to join in the said Committee.

Signed p Order, M Macnemara, Cl. Lo. Ho.

Was sent to the Upper House by Mr. Dulany and Mr. Hanson. p. 127

Mr. Parker Selby, a Delegate of Worcester County, returned to serve in the General Assembly of this Province, appeared in the House.

Ordered, That Major Waggaman and Mr. Benton Harris do go with him to the Upper House, to see him Qualified. They return and acquaint Mr. Speaker, That they saw him Qualified in the usual Manner.

L. H. J.
Liber No. 51
April 9

The Gentleman took his Seat in the House.

The Governor communicated to Mr. Speaker, the following Message, viz.^t

Gentlemen of the Lower House of Assembly,

I herewith send you Copies of several Letters which I have received, since the Opening of the Session, from the Right Honourable Mr. Secretary Pitt, his Excellency General Amherst, and Brigadier Stanwix: By one of which you will be informed that his Majesty, immediately upon receiving an Account of the Success of his Arms on the River Ohio, was pleased to Direct the Commander in Chief of all his Forces in North-America, and the Officer commanding his Troops in this Part of it, to lose no Time in concerting the most proper and speedy Means for compleatly restoring the ruined Fort Duquesne to a defensible and respectable State, or for Erecting another in the room of it of sufficient Strength, and every Way adequate to the great Importance of the several Objects, of Maintaining his Majesty's Subjects in the undisputed Possession of the Ohio; of effectually cutting off all Trade and Communication this Way between Canada and the Western and Southern Indians; of Protecting these Colonies from the Incursions to which they have been exposed since the French built the abovementioned Fort, and thereby made themselves Masters of the Navigation of the Ohio; and of fixing again the several Indian Nationals in their Alliance with, and Dependance upon, his Majesty's Government: Such being the Instructions that the King, out of his tender and paternal Care for the Safety and Welfare of these Colonies, hath been pleased to send the Officer that is appointed to the Commannd of his Forces in this Part of the Continent, he hath the greatest Reason to expect, that, as his Subjects, the Inhabitants of Maryland, and the Two neighbouring Provinces, are particularly and nearly interested in the speedy Execution of this great and salutary Work, they will be particularly alert and ready to give such Officer all the Assistance in their Power; and it will, as the Secretary of State observes, be Matter of no small Surprize, and must reflect the greatest Blame on your Conduct, should you, in any Point, fail to assist to the utmost the King's Officers who shall be employed on this Occasion. That this, however, will not be the Case, I entertain the most sanguine Hopes; for I cannot think you would wish to lose the Fruits of the late successful Expedition to the Westward, to see the French again in Possession of the Ohio Country, and our Frontier Inhabitants exposed to the dreadful Incursions of their Indian Allies. If you have any Regard for your own Safety, or the Safety and Welfare of your Posterity; if you have any Regard for the Reputation of the Province, or can be animated by the laudable Example of all your Fellow Subjects in the neighbouring Colonies; or if you have the least Sense of Gratitude to the best of Kings, and

p. 128

your Mother Country, for the powerful Succours which have been sent hither, and supported at a vast Expence, for our Protection; you will, I hope, at this Time, give a convincing Proof thereof by your Actions, by pursuing different Measures from those which you have for a long Time unhappily adhered to, notwithstanding you must have been convinced they would never meet with the Concurrence of another Branch of the Legislature.

L. H. J.
Liber No. 51
April 9
p. 129

But, Gentlemen, if after all, you shall, upon mature Deliberation, Resolve that you will, on no Account whatever, adopt any of the various Methods by which Supplies have been heretofore raised in this Province, not propose or agree to any Supply-Bill, unless it be exactly on the same Plan with those, or rather with that, which the Gentlemen of the Upper-House have four Times refused to pass, for many Reasons that have been signified to you; I have only to desire that you will oblige me so far as to communicate to me without Delay, such your Resolve, for this Reason, among others, that General Amherst and Brigadier Stanwix may be immediately advised thereof, and take their Measures accordingly.

Hor.º Sharpe.

9th April, 1759.

And Letters from the Right Honourable Mr. Secretary Pitt, General Amherst, and Brigadier Stanwix (Stanwix) in the following words viz^t; which said Letters were Read the first Time, and pp. 130-134 Ordered to lie on the Table.

[These letters are printed in full in the Upper House Journal, pp. 148-150]

On Motion, That a Clerk to a Committee from this House, appointed to draw a Bill for the Advancement of Justice, and other Purposes relative to the Public Business, be chosen, Mr. John Baldwin was nominated, and the House approved of him:

Ordered, That he be Qualified in the usual Manner.

p. 135

Mr. Key brings in, and delivers to the Clerk of the Honse, the following Certificate, viz.

April 9, 1759.

Came John Baldwin before me the Subscriber, and took the several Oaths to the Government appointed by Law, subscribed the Oath of Abjuration, repeated and signed the Test, before me, and took the following Oath, viz.

You John Baldwin do swear, That you will true Entries make of all such Matters and Things as shall be to you directed by any Committee of the Lower House of Assembly, for whom you shall act as Clerk, and that you will not divulge the Secrets of the said House of Assembly, or of any Committee thereof; but will, in all Things, well and truly demean yourself, according to the best of your Knowledge.

Thomas Jennings.

L. H. J.
Liber No. 51
April 9 On Reading the second Time the Governor's Message, and the several Letters therewith sent, all which having been taken into Consideration: On Motion, That the said Message and Letters be referred for a further Consideration on the Morrow Morning,

Resolved, That this House will take the Governor's Message, and the Letters therewith sent, into further Consideration, on the Morrow Morning at Eight of the Clock.

The House adjourns till the Morrow Morning at Eight of the Clock.

April 10

Tuesday, 10th April, 1759.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

p. 136 The Order of the Day being Read; the House proceeded to take into further Consideration his Excellency the Governor's Message of Yesterday Afternoon, and the Letters therewith sent.

On Motion, the Question was put, That the Number of Men, already voted to be raised for his Majesty's Service, be Reduced to 400 Men. Resolved in the Negative.

For the Affirmative,

Mess. ^{rs}	Key,	J. Goldsborough,	Steuart,
	Gresham,	Edmondson,	B. Harris,
	Tilden,	Bowman,	Selby.
	Waggaman,	Gibson,	
	Waters,	C. Goldsborough,	[13]

For the Negative,

Mess. ^{rs}	Plater,	Stoddert,	King,
	Sothonor,	Sulivane,	Beall,
	Greenfield,	Travers,	Dulany,
	Williamson,	Cockey Deye,	Tilghman,
	Hynson,	Govane,	T. Harris,
	Carroll,	J. H. Dorsey,	Crabb,
	Worthington,	Owings,	Chapline,
	J. J. Mackall,	Earle,	E. Dorsey,
	B. Mackall,	Ward,	Cresap.
	Hanson,	Mauldin,	
	Dent,	Murdock,	[31]

On Motion, Resolved, That in order the better to enable this Province to comply with the Requisition contained in the Right Honourable Secretary Pitt's Letter, laid before this House Yesterday, the Number of 1000 men, voted to be raised for his Majesty's Service, be reduced to 600, Officers included.

Resolved, That the Sum of £12,000 out of the Money already voted to be raised, be appointed to comply with the Requisitions aforesaid. L. H. J.
Liber No. 51
April 10

On Motion, That an Address be prepared to his Excellency, in Answer to his Message of Yesterday;

Ordered, That Col. Tilghman, Mr. Carroll, Mr. Edward Dorsey, p. 137 Mr. Murdock, and Mr. Williamson, do prepare and bring in the same.

On Motion, the Question was put, That the following Question be put, viz. Whether this House will instruct their Committee to insert in the Address, to be sent to the Governor upon his Message of Yesterday Afternoon, a direct Answer to that Part of his Message wherein he desired this House to communicate to him, Whether they will or not propose or agree to any Supply-Bill, unless it be exactly on the same Plan with those, or rather that, which the Gentlemen of the Upper House have lately several Times refused to pass, that he may be enabled immediately to advise the Generals thereof, that they may take their Measures accordingly. Resolved in the Negative.

For the Affirmative,

Mess. ^{rs}	Plater,	Waters,	Dulany,
	Key,	J. Goldsborough,	Steuart,
	Sothonor,	Edmondson,	B. Harris,
	Greenfield,	Bowman,	Selby,
	Gresham,	Gibson,	Crabb.
	Tilden,	C. Goldsborough,	
	Waggaman,	Ward,	

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For the Negative,

Mess. ^{rs}	Williamson,	Stoddert,	Murdock,
	Hynson,	Sulivane,	King,
	Gassaway,	Travers,	Beall,
	Carroll,	Cockey Deye,	Tilghman,
	Worthington,	Govane,	T. Harris,
	J. J. Mackall,	J. H. Dorsey,	Chapline,
	B. Mackall,	Owings,	E. Dorsey,
	Hanson,	Earle,	Cresap.
	Dent,	Mauldin,	

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The House adjourns till 2 of the Clock.

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Post-Meridiem. The House met according to Adjournment, &c.

The House adjourns till the Morrow Morning at 8 of the Clock.

L. H. J.
Liber No. 51
April 11

Wednesday, 11th April, 1759.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Philip Hammond, Esq; appeared in the House.

On Motion, Leave given, to bring in a Bill To reduce the Allowances of the Members of the Upper and Lower Houses of Assembly:

Ordered, That Mr. Key, Mr. C. Goldsborough, Mr. T. Harris, Major Waggaman, and Mr. Cockey Deye, do prepare and bring in a Bill accordingly.

On Motion, Leave given, to bring in a Bill To disable any Member of the Lower House of Assembly from accepting an Office under the Government, whilst he is a Member thereof:

Ordered, That Mr. Key, Mr. C. Goldsborough, Mr. T. Harris, and Major Waggaman, do prepare and bring in a Bill accordingly.

Col. Tilghman brings in and delivers to Mr. Speaker, the following Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland:

The humble Address of the House of Delegates.

p. 139 May it please your Excellency,

Upon the most mature Consideration of the Letters from the Right Honourable Mr. Secretary Pitt, his Excellency General Amherst, and Brigadier Stanwix, which accompanied your Excellency's Message of the 9th Instant, we think ourselves indispensably obliged to express the grateful Sense we entertain of the fresh Instance his Majesty has been pleased to give of his tender and paternal Care of these Colonies, and to renew our Assurances to your Excellency, that we shall zealously exert our Endeavours to provide for and promote the several Services that have been so earnestly recommended to us. And it is with the greatest Concern we observe, that your Excellency has made Use of every Occasion to throw the Blame of the Failure of Duty to the King last Year on the Lower House of Assembly. Of the Justice or Propriety of your Excellency's applying to this Branch of the Legislature, the Censure on the Council and Assembly of this Province for that Failure contained in the Right Honourable Mr. Secretary Pitt's Letter, communicated to us at the Opening of this Session, let the Impartial judge from

p. 140 the following Paragraph of that Letter: "I am commanded to signify to you the King's Pleasure, that you do forthwith use your utmost Endeavours and Influence with the Council and Assembly of your Province, to induce them to raise, with all possible Dispatch, within your Government, as large a Body of Men, as the Number and Situation of it's Inhabitants may allow; (in the due Performance of which Service, it is hoped and expected they will not again

fail in their Duty to the King, as they did the last Campaign.") Can it be inferred from this Paragraph, that it was the Secretary's Intention to justify the Conduct of the Upper House in rejecting the Supply-Bills that have been sent to them, as your Excellency would insinuate? We conceive not. What then could induce your Excellency to make an odious Distinction which the Secretary's Letter will not warrant or justify? But whatever your Excellency's Opinion of our Conduct may be, we nevertheless entertain the most sanguine Hopes, that the Equity of the Plan and mode for raising and contributing the Quota of this Province for his Majesty's Service, proposed and pursued by this House, will receive the Approbation of our Superiors, to whom we wish it was in our power to appeal, and to whose Determination we shall chearfully and dutifully submit.

We think it unnecessary to assure your Excellency, that we are so far from wishing to lose, that we hope long to enjoy the Fruits p. 141 of the late successful Expedition to the Westward: That we are so far from wishing to see the French again in Possession of the Ohio Country, and our Frontiers exposed to the dreadful Incursions of their Indian Allies, that we earnestly hope, by the Blessing of God on his Majesty's Arms, and the Wisdom of his Councils, the French will be entirely extirpated out of all his Dominions in North-America, and their Indian Allies thereby be rendered subject to, and dependent upon, the Crown of Great-Britain.

That we have, and always have had, a due Regard for our Safety, and the Safety and Welfare of our Posterity; That we have, and always have had, a due Regard for the Reputation of the Province; That we are, and always have been, animated by the laudable Examples of our Fellow-Subjects in the neighbouring Colonies; And that we have, and always have had, a proper Sense of Gratitude to the best of Kings, for his tender Concern and Solicitude for our Security and Welfare, and to our Mother Country for the powerful Succours supported at so vast an Expence for our Protection; we hope the Proceedings of this House will evince.

We do not choose to enter into a Dispute at this Time with your Excellency upon the Impropriety of your attempting to prescribe to us what Methods to pursue for raising Supplies for his Majesty's Service, or what to deviate from, or how far such a Conduct may tend to deprive us of the Right lodged solely in us of proposing such Ways and Means, and framing such Bills for raising Supplies from the People, as we think most reasonable, most equitable, and most conducive to their Ease and Quiet; tho' there may be Reason to apprehend they may be assented to with no small Degree of Reluctance by any other Branch of the Legislature. p. 142

We are surprized your Excellency should imagine we could be guilty of so great an Absurdity, as to Resolve that we would "on no

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Account whatever, adopt any of the various Methods by which Supplies have been heretofore raised in this Province, nor propose" (for we must here take the Freedom to assure your Excellency we shall not receive any that may be proposed by any other Branch) "any Supply-Bill, unless it be exactly on the same Plan with those, or rather that," as you are pleased to say "which the Gentlemen of the Upper House have four Times refused to pass, for many Reasons that have been signified to us;" and which, permit us, Sir, to say, have their full Answers in the Proceedings of the Lower House of Assembly.

However, we have thought proper that a Copy of all the Resolves of the House this Session, relating to his Majesty's Service, and the Defence and Security of this Province, should herewith be laid before your Excellency, in order that his Majesty's General may see, that nothing has been, and may be induced to entertain an Opinion, that nothing will be, wanting in us for promoting the general Service, which we can do consistent with the Duty we owe to those we Represent.

p. 143 Which was Read the first and second Time by especial Order; and the Question was put, That this House do approve the said Address. Resolved in the Affirmative.

For the Affirmative,

Mess. ^{rs}	Williamson,	Stodert,	Mauldin,
	Hynson,	Sulivane,	Murdock,
	Hammond,	Travers,	King,
	Gassaway,	Cockey Deye,	Beall,
	Carroll,	Govane,	Tilghman,
	Worthington,	J. H. Dorsey,	T. Harris,
	J. J. Mackall,	Owings,	Chapline,
	Hanson,	Earle,	E. Dorsey,
	Dent,	Ward,	Cresap.
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For the Negative,

Mess. ^{rs}	Plater,	Waggaman,	Crabb,
	Key,	Waters,	J. Goldsborough,
	Sothoron,	C. Goldsborough,	Edmondson,
	Greenfield,	Dulany,	Bowman,
	Gresham,	Steuart,	Gibson.
	Tilden,	B. Harris,	
	B. Mackall,	Selby,	
			[19]

In Pursuance of the aforesaid Resolution, the said Address was Indorsed, "Read, Approved and Ordered to be Ingrossed."

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

Mr. Gantt appeared in the House.

Col. Tilghman brings in and delivers to Mr. Speaker, the Address to the Governor, Ingrossed; which was Read and Assented to, and Signed, by Order of the House, by the Honourable Speaker.

Ordered, That Mr. J. J. Mackall and Mr. Hanson do acquaint the Governor, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will receive it. They return and acquaint Mr. Speaker, That the Governor signified he would receive the Address in about Half an Hour's Time in the Council Chamber.

Ordered, That Philip Hammond, Esq; with Five more, do present the Address to the Governor, with the following Resolves, viz.^t

Friday, 6th April, 1759.

Resolved, That this House will make Provision for Levying, Cloathing, and Paying 1000 Men, to act in Conjunction with the Forces under the Command of Brigadier General Stanwix, the ensuing Campaign.

Resolved, That the Sum of £. 12 Bounty Money, be paid to each able-bodied Man that shall be enlisted by any Officer, and shall pass Muster, and serve under the Command of Brigadier General Stanwix; and 20 s. be paid to each Officer who shall enlist such able-bodied Man.

Resolved, That 100 Men be raised, to act as Rangers, for the Protection of the Inhabitants on the Western Frontier of this Province.

Saturday, 7th April, 1759.

Resolved, That the Sum of £. 5 Bounty Money be paid, out of the Supplies to be raised, to each able-bodied Man who shall voluntarily enlist to act as a Ranger, for the Protection of the Inhabitants on the Western Frontier of this Province.

Resolved, That this House will, out of the first Supplies that shall be granted for his Majesty's Service, appropriate a Sum sufficient to repay the Money advanced last Year by General Forbes, for the Pay, Victualling and Cloathing of the Troops, formerly in the Pay of this Province, from the Time the Money granted for the Pay, Subsistence and Cloathing of the said Men, was expended, till the said Troops were taken into his Majesty's Service last Year by the said General Forbes, so far as the same shall appear to this House to be just and reasonable.

And it is further Resolved, That if it shall appear that General Forbes has not paid all the Money that may be due for the Pay, Victualling and Cloathing of the said Men, from the Time the Money granted for that Purpose was expended, till the Time they

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L. H. J. were taken into his Majesty's Service, that then this House will
 Liber No. 51 make a Provision for what further Sum may be due for the Pay,
 April 11 Victualling and Cloathing of the said Men.

Resolved, That this House will, out of the first Supplies that shall
 be granted for his Majesty's Service, appropriate a Sum sufficient
 p. 146 to pay the Money advanced last Year by General Forbes, for the
 Pay and Cloathing of the Troops formerly in the Pay of this
 Province, and by him taken into his Majesty's Service, from the
 Time those Troops entered into the said Service, to the End of the
 last Campaign, so far as the same shall appear to this House just
 and reasonable.

Resolved, That this House will make Provision for paying such
 of the Inhabitants of this Province as have, in Consequence of the
 Governor's Request, marched from any of the Counties of this
 Province, for the Defence of the Frontiers of this Province, since
 the March of General Braddock from Frederick-Town in Frederick
 County, or have Garrisoned the Forts of this Province since the
 Forces that have been raised by this Province, were taken by General
 Forbes from the said Forts into his Majesty's Service. And also
 that this House will make Provision for paying such Persons as
 have supplied Provisions and other Necessaries for the Use of the
 said Men, who have marched as aforesaid, or Garrisoned the said
 Forts, and for the Expense of the Carriage of such Provisions and
 other Necessaries.

Resolved, That such Provision be by the Appropriation of a Sum
 sufficient for the said Purposes, out of the first Supplies which shall
 be granted for his Majesty's Service.

Resolved also, That out of the said Supplies, shall be appropriated
 the following Sums, viz.^t

p. 147 A Sum sufficient to reimburse such Persons as have been neces-
 sarily put to Expences on Account of Quartering his Majesty's
 Regular Troops in Cæcil, Kent and Anne-Arundel Counties.

A Sum not exceeding Two Hundred and Fifty Pounds, for
 clearing a Road from Fort Frederick to Fort Cumberland, thro'
 this Province, for his Majesty's Service, agreeable to the Report
 of a Committee appointed last Session to enquire into the Utility
 of such a Road.

Resolved, That the Sum of 60,000 l. be granted for his Majesty's
 Service, and the Defence and Protection of the Inhabitants of this
 Province.

On Motion, Resolved, That the Sum of 60,000 l. be raised for
 his Majesty's Service, and the Defence and Protection of the In-
 habitants of this Province, by an equal Assessment on all Estates,
 Real and Personal, and Lucrative Offices and Employments.

Tuesday, 10th April, 1759.

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On Motion, Resolved, That in order the better to enable this Province to comply with the Requisition contained in the Right Honourable Secretary Pitt's Letter, laid before this House Yesterday, the Number of 1000 Men, voted to be raised for his Majesty's Service, be reduced to 600, Officers included.

Resolved, That the Sum of £12,000 out of the Money already p. 148 voted to be raised, be appropriated to comply with the Requisitions aforesaid.

They return and acquaint Mr. Speaker, they delivered the Address to the Governor, with the Resolves.

The House adjourns till the Morrow Morning at 8 of the Clock.

Thursday, 12th April, 1759.

April 12

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Mr. Baker appeared in the House.

On Motion, That an Hearing on the Petition of Mr. Nicholas Maccubbin, for an undue Election and Return, made by the Mayor, Recorder and Aldermen of the City of Annapolis, of Doctor George Steuart, as a Delegate of the said City, be Referred until Thursday Morning next, being the 19th Instant, at Eight of the Clock; Ordered, That the said Petition be Referred accordingly.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.
The House adjourns till the Morrow Morning at 8 of the Clock.

Friday, 13th April, 1759.

April 13

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Philip Hammond, Esq; from the Committee appointed, brings in and delivers to Mr. Speaker, a Bill, entituled, An Act for Granting a Supply of . . . for his Majesty's Service, and the more immediate Defence and Security of the Frontier Inhabitants, and Emitting . . . thereof in Bills of Credit, and Raising a Fund for sinking and replacing the Whole, by an equal Assessment on all Estates, Real and Personal, and Lucrative Offices and Employments. p. 149

Ordered, That the said Bill be Read the first Time immediately after the Call of the House in the Afternoon.

The House adjourns till 2 of the Clock

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April 13

Post-Meridiem. The House met according to Adjournment, &c.
The Bill, entituled, An Act for Granting a Supply of
for his Majesty's Service, &c. was Read the first Time, and
Ordered to lie on the Table.

The following Message:

By the Lower House of Assembly, April 13th 1759.

May it please your Honours,

We are sorry our Duty obliges us to put your Honours in Mind,
that we have not yet received any Answer to our Message of the 9th
Instant, acquainting you, that we had appointed several Gentlemen,
therein named, to join one or more Members of your House in a
Committee to Inspect the Office and Proceedings of the Commis-
sioners or Trustees for Emitting Bills of Credit, established by
Act of Assembly: We hope your Honours will not give any further
Delay to a Matter of such Importance.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House by Alexander Williamson, Esq; and
Mr. Beall.

Stephen Bordley, Esq; from the Upper House, delivers to Mr.
Speaker, the following Message, viz.

By the Upper House of Assembly, April 13, 1759.
Gentlemen,

This House hath appointed Richard Lee, Esq; to join the Mem-
bers named by your House in a Committee to Inspect the Accounts
and Proceedings of the Commissioners of the Paper Currency Office.

Signed p Order, J. Ross, Cl. Up. Ho.

Mr. Greenfield hath Leave of Absence.

The House adjourns till the Morrow Morning at 8 of the Clock.

April 14

Saturday, 14th April, 1759.

The House met according to Adjournment: The Members were
called, and all appeared as Yesterday, except Mr. Greenfield. The
Proceedings were Read.

On Motion, the House proceeded in the second Reading of the
Bill, entituled, An Act for Granting a Supply of 60,000 l. for his
Majesty's Service, &c.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

On Reading throughout the Bill, entituled, An Act for Granting
a Supply of 60,000 l. for his Majesty's Service, the Question was put,
That the said Bill do Pass. Resolved in the Affirmative.

Mess.^{rs}

For the Affirmative,

Williamson,	Stoddert,	Murdock,
Hynson,	Sulivane,	King,
Hammond,	Cockey Deye,	Beall,
Gassaway,	Govane,	Tilghman,
Carroll,	J. H. Dorsey,	T. Harris,
Worthington,	Owings,	Chapline,
J. J. Mackall,	Earle,	E. Dorsey,
Gantt,	Baker,	Cresap.
Hanson,	Ward,	
Dent,	Mauldin,	

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Mess.^{rs}

For the Negative,

Plater,	Waters,	Dulany,
Key,	J. Goldsborough,	Steuart,
Sothoron,	Edmondson,	B. Harris,
Gresham,	Bowman,	Selby,
Tilden,	Gibson,	Crabb.
B. Mackall,	C. Goldsborough,	
Waggaman,	Travers,	

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In Pursuance of the foregoing Resolution, the said Bill was Indorsed, "Read the second Time by an especial Order, and will Pass," and was sent to the Upper House by Colonel Tilghman, and p. 152 Five more. They return and acquaint Mr. Speaker, They carried up the said Bill to the Upper House, and as the Council Doors were shut, they brought back the said Bill, and delivered it to Mr. Speaker.

On Motion, Leave given, to bring in a Bill for issuing Writs of Replevin out of the County Courts;

Ordered, That Colonel Tilghman, Mr. Edward Dorsey, Mr. Williamson, and Mr. Carroll, do prepare and bring in a Bill accordingly.

Mr. Edmondson, Mr. Bowman, Mr. John Goldsborough, Mr. Sulivane, Mr. Gresham, Mr. Hammond, and Mr. Gassaway, have Leave of Absence.

Mr. Hanson, Colonel Tilghman, Mr. King, Mr. Govane, Mr. Crabb, Mr. Benjamin Mackall, and Mr. Owings, have Leave of Absence till Tuesday next.

On Motion, Leave given, to bring in a Bill for Raising a Sum of Sterling Money for the Support of an Agent in Great-Britain:

Ordered, That Colonel Tilghman, Mr. Hammond, Mr. Dorsey, Mr. Carroll, and Mr. Williamson, do prepare and bring in a Bill accordingly.

The House adjourns till Monday Morning at 8 of the Clock.

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Liber No. 51
April 16

Monday, 16th April, 1759.

The House met according to Adjournment: The Members were called, and all appeared as on Saturday, except Philip Hammond, Esq; Capt. Gassaway, Mr. Benjamin Mackall, Mr. Hanson, Mr. John Goldsborough, Mr. Bowman, Mr. Govane, Mr. Owings, Mr. Murdock, Mr. King, Colonel Tilghman, and Mr. Crabb. The Proceedings were Read.

p. 153 The Bill, entitled, An Act for Granting a Supply of 60,000 l. for his Majesty's Service, and the more immediate Defence and Security of the Frontier Inhabitants of this Province, &c. was sent to the Upper House by Mr. Sulivane, and Five more.

Mr. Carroll brings in and delivers to Mr. Speaker, a Bill, entitled, An Act for issuing Writs of Replevin out of the County Courts of this Province; which was Read the first Time, and Ordered to lie on the Table.

Mr. Key brings in and delivers to Mr. Speaker, a Bill, entitled, An Act for Reducing the Allowances of the Members of the Upper and Lower Houses of Assembly of this Province, and Assessing the Public Levy; which was Read the first Time, and Ordered to lie on the Table.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

Mr. Carroll brings in and delivers to Mr. Speaker, a Bill, entitled, An Act to raise a Fund to be applied for the Payment of an Agent for this Province; which was Read the first Time, and Ordered to lie on the Table.

On Motion, the Question was put, That the Bill, entitled, An Act for issuing Writs of Replevin out of the County Courts of this Province, be now Read the second Time. Resolved in the Negative.

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For the Affirmative,

Mess. ^{rs}	Plater,	Tilden,	C. Goldsborough,
	Key,	Waggaman,	Dulany,
	Sothoron,	Edmondson,	Steuart,
	Gresham,	Gibson,	Selby. [12]

For the Negative,

Mess. ^{rs}	Williamson,	Sulivane,	Beall,
	Hynson,	Travers,	T. Harris,
	Carroll,	Cockey Deye,	B. Harris,
	Worthington,	J. H. Dorsey,	Chapline,
	J. J. Mackall,	Earle,	E. Dorsey,
	Gantt,	Baker,	Cresap.
	Dent,	Ward,	
	Stoddert,	Mauldin,	[22]

On Motion, Leave given, to bring in a Bill for the Security of Purchasers, and Others, claiming by or from Aliens:

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Ordered, That Mr. E. Dorsey, do prepare and bring in a Bill accordingly.

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker, the Bill, entituled, an Act for Granting a Supply of 60,000l. for his Majesty's Service, and the more immediate Defence and Security of the Frontier Inhabitants of this Province, and Emitting 49,000l. thereof in Bills of Credit, and Raising a Fund for sinking and replacing the Whole, by an equal Assessment on all Estates, Real and Personal, and Lucrative Offices and Employments; which was Indorsed, "By the Upper House of Assembly, 16th April, 1759. Read the first Time, and will not Pass.

Signed per Order, J. Ross, Cl. Up. Ho."

And the following Message,

By the Upper House of Assembly, April 16, 1759.

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Gentlemen,

We this Morning received from your House, the Bill, entituled, An Act for Granting a Supply of 60,000l. &c. and finding it, in all it's material Parts, the same which had in four different Sessions before been sent up to us, and as often returned with a Negative; we this Morning, on one Reading of the Bill, sent it down you with a Negative; but your House not being then Sitting, has occasioned your not receiving it sooner; and we therefore hope no Neglect of the Public Business will be imputed to us.

Gentlemen,

The Season for Action being so near, there is no Time to be lost; Dispatch (if any Thing is really intended to be done) is absolutely necessary.

Signed p Order, J. Ross, Cl. Up. Ho.

His Excellency the Governor communicated to Mr. Speaker, the following Message, viz.

Gentlemen of the Lower House of Assembly,

The Inclosed will shew you what became due to the Director of the Hospital last Campaign, on Account of several of the Maryland Soldiers, that being wounded or taken sick, were sent thither for their Cure; I lay it before you at the Request of Mr. Russel, the Director, who having been paid by the Governments of Virginia and Pennsylvania what was due to him, on Account of the Sick that were sent to the general Hospital from the Troops which those Provinces furnished last Year for the Expedition to the Westward, flatters himself, as I also do, that you will in like Manner provide for his being immediately paid what is due to him from this Province.

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Hor^o Sharpe.

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16th April, 1759.

Which was Read, and Ordered to lie on the Table.

On Motion, the Question was put, That the following Question be put, viz.^t If this House will admit Mr. Wilson to make his Submission. Resolved in the Negative.

For the Affirmative,

Mess. ^{rs}	Plater,	Waters,	Dulany,
	Key,	Edmondson,	Steuart,
	Sothoron,	Gibson,	B. Harris,
	Gresham,	C. Goldsborough,	Selby.
	Tilden,	Baker,	
	Waggaman,	Ward,	

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For the Negative,

Mess. ^{rs}	Williamson,	Stoddert,	Beall,
	Hynson,	Sulivane,	T. Harris,
	Carroll,	Travers,	Chapline,
	Worthington,	Cockey Deye,	E. Dorsey,
	J. J. Mackall,	J. H. Dorsey,	Cresap.
	Gantt,	Earle,	
	Dent,	Mauldin,	

[19]

On Motion, the Question was put, That the following Question be put, viz. That this House do Resolve, That it is beneath the Dignity of this House to call upon any Member, committed for a Breach of an Order of the House, to comply with the Order, till he had previously signified his Inclination to the House to comply with and obey the same; and that Mr. Samuel Wilson had not signified to the House his Inclination to comply with their Order, before or at the Time of putting the aforesaid Question. Resolved in the Affirmative.

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For the Affirmative,

Mess. ^{rs}	Williamson,	Stoddert,	Mauldin,
	Hynson,	Sulivane,	Beall,
	Carroll,	Travers,	T. Harris,
	Worthington,	Cockey Deye;	Chapline,
	J. J. Mackall,	J. H. Dorsey,	E. Dorsey,
	Gantt,	Earle,	Cresap.
	Dent,	Baker,	

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For the Negative,

Mess. ^{rs}	Plater,	Waggaman,	Ward,
	Key,	Waters,	Dulany,
	Sothoron,	Edmondson,	Steuart,
	Gresham,	Gibson,	B. Harris,
	Tilden,	C. Goldsborough,	Selby.

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In Pursuance of the Resolution of the aforegoing Question, Ordered, That the following be Entered on the Journal, as the Resolve of this House, viz.

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Resolved, That it is beneath the Dignity of this House to call upon any Member, committed for a Breach of an Order of the House, to comply with the Order, till he had previously signified his Inclination to the House to comply with and obey the same; and that Mr. Samuel Wilson had not signified to the House his Inclination to comply with their Order, before or at the Time of putting the aforegoing Question.

On Motion, the Question was put, That the following Question be put, viz. That as this House will not admit of the Submission of Mr. Samuel Wilson, that he be Expelled this House, that the County may have the Benefit of being Represented by a due Number of Members. Resolved in the Negative.

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For the Affirmative,

Mess. ^{rs}	Plater, Key, Sothonor, Gresham, Tilden,	Waggaman, Waters, Edmondson, Gibson, C. Goldsborough,	Ward, Dulany, Steuart, B. Harris, Selby.	[15]
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For the Negative,

Mess. ^{rs}	Williamson, Hynson, Carroll, Worthington, J. J. Mackall, Gantt, Dent,	Stoddert, Sulivane, Travers, Cockey Deye, J. H. Dorsey, Earle, Baker,	Mauldin, Beall, T. Harris, Chapline, E. Dorsey, Cresap.	[20]
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On Motion, the Question was put, That the House do adjourn. Resolved in the Affirmative.

The House adjourns till the Morrow Morning at 8 of the Clock.

Tuesday, 17th April, 1759.

April 17

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Major Waggaman and Mr. Waters have Leave of Absence.

Philip Hammond, Esq; appeared in the House.

On Motion, the Question was put, That the Bill, entituled, An Act for Reducing the Allowances of the Members, &c. be Read now the second Time. Resolved in the Affirmative.

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For the Affirmative,			
Mess. rs	Plater, Key, Sothoron, Gresham, Tilden, Waggaman,	Waters, Edmondson, Gibson, Sulivane, C. Goldsborough, Cockey Deye,	Ward, Dulany, Steuart, T. Harris, B. Harris, Selby.

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For the Negative,			
Mess. rs	Williamson, Hynson, Carroll, Worthington, J. J. Mackall, Gantt,	Dent, Stoddert, Travers, J. H. Dorsey, Earle, Baker,	Mauldin, Beall, Chapline, E. Dorsey, Cresap.

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On Reading the second Time the Bill, entituled, An Act for Reducing the Allowances of the Members of the Upper and Lower Houses of Assembly, &c. the Question was put, Whether the Allowance to each Delegate or Burgess, for each Day he shall serve and attend (besides the usual Allowance for itinerant Charges) be 80 lbs. of Tobacco, or less? Resolved, That the Allowance be 80 lbs. of Tobacco.

For Eighty Pounds of Tobacco,			
Mess. rs	Carroll, J. J. Mackall, Gantt, Dent, Stoddert, Waters,	Edmondson, Gibson, J. H. Dorsey, Earle, Baker, Ward,	Mauldin, Beall, Selby, Chapline, E. Dorsey, Cresap.

[18]

For Less,			
Mess. rs	Plater, Key, Sothoron, Williamson, Hynson, Gresham,	Tilden, Worthington, Waggaman, Sulivane, C. Goldsborough, Travers,	Cockey Deye, Dulany, Steuart, T. Harris, B. Harris.

[17]

p. 160 On Motion, the Question was put, That that Part of the Bill that settles the Allowance to the Members of the Upper House at 75 lbs. of Tobacco p Diem, be altered. Resolved in the Affirmative.

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Liber No. 51
April 17

Mess. ^{rs}	For the Affirmative,		
	Plater,	Stoddert,	Ward
	Key,	Waggaman,	Mauldin,
	Sothonor,	Waters,	Dulany,
	Williamson,	Edmondson,	Steuart,
	Hynson,	Gibson,	T. Harris,
	Gresham,	Sulivane,	B. Harris,
	Tilden,	C. Goldsborough,	Selby.
	Worthington,	Travers,	
	Dent,	Cockey Deye,	[25]

Mess. ^{rs}	For the Negative,		
	Carroll,	Earle,	E. Dorsey,
	J. J. Mackall,	Baker,	Cresap.
	Gantt,	Beall,	
	J. H. Dorsey,	Chapline,	[10]

On Motion, the Question was put, Whether the Allowance to the County Justices shall be 40 lbs. of Tobacco per Diem, or more? Resolved, That the Allowance be more.

Mess. ^{rs}	For More Than Forty Pounds of Tobacco,		
	Plater,	Worthington,	Travers,
	Key,	Stoddert,	Ward,
	Sothonor,	Waggaman,	Beall,
	Williamson,	Waters,	Dulany,
	Hynson,	Gibson,	Steuart,
	Gresham,	Sulivane,	B. Harris,
	Tilden,	C. Goldsborough,	
			[20]

Mess. ^{rs}	For Forty Pounds of Tobacco,		
	Hammond,	Cockey Deye,	Selby,
	Carroll,	J. H. Dorsey,	Chapline,
	J. J. Mackall,	Earle,	E. Dorsey,
	Gantt,	Baker,	Cresap.
	Dent,	Mauldin,	
	Edmondson,	T. Harris,	[16]

On Motion, the Bill, entituled, An Act for Reducing the Allowances of the Members of the Upper and Lower Houses of Assembly, &c. was committed for Amendments.

His Excellency the Governor communicated to Mr. Speaker, the following Message, viz.^t

Gentlemen of the Lower House of Assembly,

I have lately received Instructions from the Right Honourable the Lord Proprietary to inform you, that, in Compliance with the joint Request of both Houses of Assembly, made known to him by an Address dated the 15th of December, 1757, he delayed not to

p. 161

L. H. J. present the Petition and Representation that were at the same Time
 Liber No. 51 transmitted, the first of which was addressed to the King's most
 April 17 Excellent Majesty, and the other to the Right Honourable the Lords
 Commissioners of Trade and Plantations. I am likewise commanded
 by his Lordship to inform you, that, although the Lords of the Com-
 mittee of his Majesty's Privy Council, to whom the said Petition
 and Representation were referred, did not at that Juncture think it
 advisable to permit Corn, &c. to be exported from this and other his
 Majesty's Colonies in America, to the Madeiras, and to the Euro-
 pean Dominions of Princess and States in Amity with his Majesty,
 yet that he is not without Hopes of succeeding on another Applica-
 tion, which he will not fail to make at a seasonable Time. And his
 Lordship is farther pleased to order me to assure you, that, as he
 used his utmost Endeavours on this Occasion to obtain the Comple-
 tion of the Desires of his two Houses of Assembly, so he will
 embrace every Opportunity to convince them, and all his good
 Tenants, how much it is his Care and Study to promote their Pros-
 perity and Happiness.

Hor.^o Sharpe.

17th of April, 1759.

p. 162 With a Report from the Lords of Trade and Plantations, and a Letter from William Sharpe, Esq; to the Lord Baltimore;

[These reports and letters are printed in full in the Upper House Journal, pp. 154-157]

Which were severally Read, and Ordered to lie on the Table.

On Motion, the Question was put, That the following Question be put, viz. That a Bill for Granting a Supply of 50,000 l. for his Majesty's Service, and the more immediate Defence and Security of the Frontier Inhabitants of this Province, and Emitting 40,000 l. in Bills of Credit, and Raising a Fund for sinking and replacing the Whole, by a Tax upon Land, a Tax upon all the taxable Inhabitants of this Province, an additional Tax upon all Negro Taxables, a Tax upon all Ferries and Pilots, to be licenced by Virtue of this Bill, an additional Tax upon all Wheels, a Tax upon all Lucrative Offices, Places of Profit, Benefices and Professions, a Tax upon all Clocks, Watches, Saddle-Horses and Mares, and a Tax upon all Perukes. Resolved in the Negative.

For the Affirmative,

Mess ^{rs}	Plater,	Tilden,	C. Goldsborough,
	Key,	Waggaman,	Dulany,
	Sothonon,	Edmondson,	Steuart,
	Gresham,	Gibson,	B. Harris. [12]

Mess. ^{rs}	For the Negative,		L. H. J. Liber No. 51 April 17
Williamson,	Stoddert,	Mauldin,	
Hynson,	Sulivane,	Beall,	
Hammond,	Travers,	T. Harris,	
Carroll,	Cockey Deye,	Selby,	
Worthington,	J. H. Dorsey,	Chapline,	
J. J. Mackall,	Earle,	E. Dorsey,	
Gantt,	Baker,	Cresap.	
Dent,	Ward,		[23]

On Motion, Leave given, to bring in A Supplementary Bill to the Act for amending the Staple of Tobacco, &c.

Ordered, That Mr. Carroll, Mr. Beall, Mr. Charles Goldsborough, Mr. Edward Dorsey, and Mr. Baker, do prepare and bring in a Bill accordingly.

The House adjourns till 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c. p. 163

Colonel Tilghman appeared in the House.

His Excellency the Governor communicated to Mr. Speaker, the following Message, viz.^t

Gentlemen of the Lower House of Assembly,

As you did not think fit, when you presented your Address of the 11th Instant, to comply with the Request I had made you, so far as to inform me, Whether you were Resolved on no Account to propose to agree to any Supply-Bill, beside that which the Gentlemen of the Upper House have now Five Times refused to pass, and as Brigadier Stanwix has again desired me to let him know, Whether he is, or is not, to expect any Troops or Assistance from this Province, that he might take his Measures accordingly, I once more beg the Favour of you to give me a Categorical Answer, and communicate to me your Resolution with respect to this Matter, that I may immediately write and send Brigadier Stanwix Advice thereof, by an Officer that intends to set off from this Place for Philadelphia, To-morrow in the Morning.

Hor.^o Sharpe.

17th of April, 1759.

Which was Read, and Ordered to lie on the Table.

The Bill, entituled, An Act to raise a Fund to be applied for the Payment of an Agent for this Province, was Read the second Time, and Passed; and sent to the Upper House by Mr. James John Mackall and Mr. Worthington. p. 164

The Question was put, That the Governor's Message of this Afternoon, be now Read the second Time. Resolved in the Negative.

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Mess. ^{rs}	For the Affirmative,		
	Plater,	Sulivane,	Steuart,
	Key,	C. Goldsborough,	T. Harris,
	Gresham,	Ward,	Chapline.
		[11]	

Mess. ^{rs}	For the Negative,		
	Sothoron,	Dent,	Murdock,
	Williamson,	Stoddert,	Beall,
	Hynson,	Travers,	Tilghman,
	Hammond,	Cockey Deye,	B. Harris,
	Carroll,	J. H. Dorsey,	E. Dorsey,
	Worthington,	Earle,	Cresap.
	J. J. Mackall,	Baker,	
	Gantt,	Mauldin,	
			[22]

William Goldsborough, Esq; from the Upper House, delivers to Mr. Speaker, the Bill, entituled, An Act to raise a Fund to be applied for the Payment of an Agent for this Province; Indorsed, "By the Upper House of Assembly, 17th April, 1759. Read the first Time, and will not Pass.

Signed per Order, J. Ross, Cl. Up. Ho."

On Motion, Resolved, That this House do take into Consideration the Governor's Message of this Afternoon, on the Morrow Morning, immediately after the Call of the House.

Mr. Edward Dorsey brings in and delivers to Mr. Speaker, a Bill, entituled, An Act for the Security of Purchasers and Others, being Protestants, claiming by or from Aliens; which was Read the first Time, and Ordered to lie on the Table.

p. 165 Colonel Tasker, and Benedict Calvert Esq; from the Upper House, acquaint Mr. Speaker, That the Governor requires the Lower House of Assembly to attend him immediately in the Upper House.

Mr. Speaker left the Chair, and (attended with the Rest of the Members of the Lower House) went to the Upper House; where the Governor made the following Speech, viz.

Gentlemen of the Lower House of Assembly,

After the Resentment you have expressed at my Endeavours to remind you of, and exhort you to the Discharge of your Duty, when you seemed to have lost Sight of it in the too eager, and unseasonable Pursuit of other Objects, and after you have explicitly Resolved to admit of no Propositions to provide for his Majesty's Service upon any other Plan, than that, of which you had experienced the certain Impracticability in the Miscarriages of the same Bill Five Times, in as many successive Sessions, I have not the least Glimmering of

Hope, however expressive of Zeal your Professions have been and interesting the Occasion, that you will entertain any Disposition to make Amends for your former Failures, and therefore as a Continuation of this Session would only augment the very unprofitable and heavy Expence you have already imposed on your Constituents, a Regard to their Ease has determined me, by and with the Advice of his Lordship's Council of State, to put a Period to it, by Proroguing this Assembly to Monday the Sixteenth of July next; and you are to take Notice you are Prorogued to that Day accordingly.

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So Endeth this Meeting in Assembly, this 17th Day of April, in the Year one Thousand Seven Hundred and Fifty-nine.

Test. M. Macnemara, Cl. Lo. Ho.

PROCEEDINGS AND ACTS
OF THE
GENERAL ASSEMBLY OF MARYLAND

At a Session Held at Annapolis, March 22—April 11, 1760.

*Being the Fourth Session of the Assembly Elected in
September, 1758*

FREDERICK CALVERT, LORD BALTIMORE,

Lord Proprietary.

HORATIO SHARPE,

Governor.

PROCEEDINGS
OF THE
UPPER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis
on Saturday the 22^d day of March in the Ninth Year of his Lord-
ships Dominion &c. Annoq; Domini 1760

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Present

The Honble { Benjamin Tasker Esq } Col.^o Tasker
 { Samuel Chamberlaine } D. Dulany
 { Samuel Chamberlaine } S. Bordley

Mess.^{rs} Samuel Chamberlaine Esq and Col.^o Tasker are sent to
the Lower House to Acquaint the Speaker that his Excellency Re-
quires his immediate Attendance with the Lower House in the
Upper House

The Lower House attend and his Excellency is Pleased to make
the following Speech

Gentlemen of the Upper and Lower Houses of Assembly

It gives me much Pleasure to have an Opportunity of Congratulating you on the many Great and Signal Successes with which God hath blest his Majestys Arms, both by Sea & Land, in divers parts of the world, through the Course of the Last year; which it was hoped would have inclined his Majesty's Enemies to Peace, and to Accept of such Terms as may have been Consistent with his Honour and the Interest of all his Subjects

This good end However not having been yet Obtained, but the French King on the Contrary still persisting in his unbounded Ambition, and seeming Determined to Prosecute the War with Fresh Vigour, his Majesty our most Gracious Sovereign, in order to render the Designs of his Enemies Abortive and having nothing so much at heart as to improve the Great and important Advantages gained in North America the Last Campaign hath been Pleased to Command his Excellency General Amherst to proceed in the Reduction of Canada as you will see by the Generals Letter which together with one that I had very Lately the Honour to receive from one of his Majestys Principal Secretaries of State Shall be laid before you. from these letters you will also learn, that his Majesty, hoping all his Faithfull and brave Subjects in Maryland as well as in his other Colonies, will at this Jucture, chearfully co-operate with and Second

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to the Utmost the Extraordinary Succours which have been Supplied by the Kingdom of Great Britain for our preservation and future Security, hath been pleased to Order me to convene you without delay, and to press you to raise with all possible Dispatch, as large a Body of Men, as the Number and Scituation of our Inhabitants can allow, that the same being formed into regiments may be ready by the Tenth of next Month to march to such rendezvous as may be appointed, and afterwards to Act in Conjunction with the Kings Regular Forces in such Offensive Opperations as shall be judged by his Majestys General most Expedient for Annoying the Enemy, That the service recommended might be the less Burthensome to us the Kings Commissaries are ordered to Victual all the Provincial Troops in the same Manner as the Regular Forces are Victualled: nor doth his Majesty expect any thing more from the Colonies than that they will defray the Expence of Levying and Cloathing their respective Troops, and provide pay for them during the ensuing Campaign; and that his Majestys Subjects here may be encouraged to Exert themselves to the utmost, he is moreover pleased to permit the Secretary of State to Assure us that strong recommendations will be made to Parliament in their Session next Year, to grant a proper Compensation for such Expences as the several Provinces may be at, According as their Active Vigour and Strenuous efforts shall Appear to merit

The Secretary of State and General Amherst, having been very explicit as to what is expected from us it only remains for me to Exhort you to take their Letters into immediate Consideration and shew by your proceedings thereupon, that altho' the unhappy issue of our late sessions gave sufficient room for the Censure contained in M^r Secretary Pitts Letter yet that it was by no means owing to any want of Loyalty affection or Gratitude, to our most Gracious Sovereign. And

Gentlemen of the Lower House, I think it my Duty to intreat you in Particular Cautiously to avoid at this time the rock on which you have heretofore split: and since you will find by the Opinion of his Majestys Attorney General which I shall communicate to you, that the supply Bill which you offered the year before last and again last year to the Gentlemen of the Upper House is deemed such a one as they could not Consistent with their duty, nor without violating our Constitution give their Assent to; permit me to hope that you will now frame such a Bill as may be Judged unexceptionable, so that the Conclusion of this Session may efface the remembrance of all past Failures, and demonstrate that we Likewise are Animated with the same Laudable Spirit which hath since the beginning of this War, so remarkably Excited our Fellow Subjects to exert their most Vigorous Efforts

Whithall, 7th January 1760U. H. J.
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Sir.

His Majesty having nothing so much at heart as to improve the great and important Advantages gained the last Campaign in North America, and not doubting that all his faithful and brave subjects there will continue most chearfully to co-operate with, and second to the Utmost the large expence and Extraordinary succours supplied by His Kingdom, for their preservation and future Security; and his Majesty considering that the several Provinces from Pensylvania inclusive to the Southward are well able with Proper Encouragements, to furnish a Body of Several Thousand Men to join the Kings Forces in those parts for some Offensive Operations against the Enemy; and his Majesty not Judgeing it expedient to Limit the Zeal and ardour of any of his provinces by making a Repartition of the Forces to be raised by each respectively, for the most important Service I am Commanded to signifie to you the Kings pleasure that you do forthwith use your utmost endeavours and influence with the Council and Assembly of your Province to induce them to raise with all possible Dispatch within your Government as large a Body of Men as the Number and Scituation of it's Inhabitants may allow p. 416 (in the due Performance of which service, it is hoped and expected they will not again Fail in their Duty to the King as they have done the two last Campaigns) and forming the same into regiments as far as shall be found Convenient that you do direct them to hold themselves in readiness as early as may be to march to the rendezvous at such place or places as may be named for that purpose by the Commander in Chief of his Majestys Forces in America, or by the Officer who shall be Appointed to command the Kings Forces in those parts, in Order to proceed from thence in Conjunction with a Body of his Majestys British Forces and under the Supreme Command of the Officer to be Appointed as above, so as to be in a Scituation to begin by the first of may if possible, or as soon after as shall be any way practicable such Offensive Operations as shall be Judged by the Commander of his Majestys Forces in those parts most Expedient for Annoying the Enemy, and the better to facilitate this important Service the King is pleased to leave it to you to issue Commissions to such Gentlemen of your province as you shall Judge from their weight and Credit with the people and their Zeal for the Publick Service may be best disposed and enabled to quicken and effectuate the Speedy Levying of the Greatest number of men in the Disposition of which Commission I am persuaid you will have nothing in View but the Good of the Kings Service and a due Subordination of the whole when joined to his Majestys Commander and all officers of the Provincial Forces as high as Colonels inclusive, are to have rank According to their respective Commissions agreeable to the Regulations Contained in his Majestys Warrant of the 30th December 1757

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The King is further pleased to furnish all the Men so raised as above with Arms Ammunition and Tents as well as to Order Provisions to be issued to the same by his Majestys Commissaries in the same Proportion and Manner as is done to the rest of the Kings Forces: And a sufficient Train of Artillery will Also be provided at his Majestys Expence for the Operations of the Campaign, The whole therefore that the King Expects and requires from the several provinces is the Levyng Cloathing and Pay of the Men; and on these heads also, that no Encouragement may be Wanting to the fullest Exertion of your Force his Majestys is farther most Graciously pleased to permit me to Acquaint you, that strong recommendations will be made to Parliament in their Session next year, to grant a proper Compensation for such Expences as above according as the Active Vigour and Strenuous efforts of the respective Provinces shall justly appear to merit, it is his Majestys Pleasure that you do with particular Diligence immediately Collect and put into the best Condition all the Arms issued last Campaign which can be any wise rendered Serviceable or that can be found within your Government in order that the same may be employed as far as they will go in this Exigency, I am at the Same time to Acquaint you that a reasonable Supply of Arms will be sent from England to replace such as may have been lost, or have become unfit for future Service. I am further to inform you, that similar orders are sent by this Conveyance to Pensylvania, Virginia North Carolina and South Caroline.

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The Northern Governments are also directed to Raise Men in the same manner, to be employed in such offensive Operations as the Circumstances and Scituation of the Enemies Possessions in those parts may point out, which it is hoped will Oblige them so to divide there Attention and Forces as will render the several Attempts more easy and successfull.

It is unnecessary to Add any thing to Animate your Zeall in the Execution of his Majestys Orders on this great Occasion, where the future safety and welfare of America & of your own Province in Particular are so nearly concerned: and the King Doubts not from your knon Fidelity and Attachment, that you will employ yourself with the utmost Application and Dispatch in this promising and decisive Crisis

I am with great Truth and regard Sir
Your most Obedient humble Serv.^t
W: Pitt

Sir

New York 21st February 1760

With his Majestys Commands for the reduction of Canada, received last night I Likewise had a Copy of M. Pitts Circular Letter to the Northern and Southern Governors of the 7th January Last,

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the original of which goes enclosed, and whereby you will see, that his Majesty having nothing so much at heart as to improve the great and important Advantages gained the last Campaign in North America and not Doubting that all his faithful and brave Subjects there will continue most chearfully to Co-operate with and second to the Utmost the large Expence and Extraordinary Succours supplied by the Kingdom of Great Britain for their Preservation and future Security; and his Majesty Considering that the several Provinces from Pensylvania inclusive to the Southward are well able, with proper Encouragements to furnish a Body of several Thousand Men to join the Kings Forces in those parts, for some offensive Operations against the Enemy; and his Majesty not judgeing it Expedient to limit the Zeal and Ardent of any of his Provinces by making a repartition of the Force to be raised by each respectively for this most important Service, he (M^r Secretary Pitt) is Commanded to signify to you the Kings Pleasure, that you do forthwith use your utmost endeavours and influence with the Council and Assembly of your Province, to induce them to raise with all Possible Dispatch within your Government as large a Body of Men as the Number and Scituuation of its inhabitants may allow, (in the due performance of which service it is hoped and expected they will not again fail in their duty to the King, as they have done the two Last Campaigns) and forming the Same with regiments as far as shall be found Convenient that you do direct them to hold themselves in readiness as early as may be to march to the rendezvous at such place or Places as may be named for that purpose by the Commander in Chief of his Majestys Forces in America or by the Officer who shall be Appointed to Command the Kings Forces in those parts in order to proceed from thence in Conjunction with a Body of his Majestys British Forces and under the supreme Command of the Officer to be Appointed as above so as to be in a Scituuation to begin by the first of May if possible or as soon after as shall be any way Practicable such Offensive Operations as shall be judged by the Commander of his Majestys Forces in those parts most expedient for Annoying the Enemy.

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As the Kings Directions on the aforesaid Subject are so fully stated in the above Abstract I have only to request that you would exert your utmost endeavours to excite and Encourage your Assembly to the full and due Execution of the Kings Commands in a matter so essential to the future Welfare and Prosperity of the several Provinces and the Success of the ensuing decisive and (it is greatly hoped) last Campaign in North America; Which desireable and cannot be better Attained than by Commencing the Operations as early as shall be Practicable; and that nothing may be left undone that it is possible for me to Attempt in the Execution of his Majestys Commands I must be urgent with you to quicken and expedite the

U.H.J. Levies of your Province so that they may be Assembled at the
 Liber No. 35 Rendezvous which I shall hereafter appoint by the Tenth of April at
 March 22 furthest

I have also in Command from his Majesty to recommend to you that Collecting and putting into a proper Condition all the Arms which can be anywise rendered serviceable or that can be found within your Government in order that the same may be employed as far as they will go in this Exigency: As a further reason for which I referr you to my Letter of the 16th February 1759 and now offer you the same Encouragement I did then Viz.^t that for every one of such Arms as any of your men shall bring with them, and that may be Spoiled or lost in Actual Service, I will pay at the rate of Twenty five Shillings a Firelock

From this Encouragement and your known Fidelity and Attachment to his Majesty I have no doubt of your Exerting yourself to the utmost on this Great Occasion, where the future Welfare and safety of America of your own province in Particular, are so nearly Concerned

I am with great regard Sir
 Your most Obedient humble Serv.^t
 Jeff : Amhurst

p. 419 [The Opinion of his Majesty's Attorney General, Charles Pratt]

As to the Nomination of Commissioners by the Lower House

In my Opinion the Sole Nomination of these Commissioners, who are new officers Appointed by this Bill belongs neither to the Proprietary nor to the Lower House Stricto Jure; but like all other new regulations must be Assented to by both, but can be claimed by neither, the Proprietarys Charter intitles him to nominate all Constitutional Officers, and all others which by the Laws are not otherwise provided for but I do not Conceive my Lord has any Original Right to nominate new Officers Appointed for the Execution of a new Law without the Consent of the two Houses; nor on the other hand have the Lower House any such independent Authority; and therefore I think the Upper House are right notwithstanding this claim in which they ought to be Supported by the proprietary, because it is unreasonable for one Branch of the Legeslature to Assume a Power of Taxing the Other by Officers of their Single Appointment

As to the Insufficiency of the allowance of the Commissioners of the Loan Office

My Lord should not meddle with this question which is proper to be discussed and settled by the two Houses as it Concerns only the quantum of allowance for the Officers, and does not encroach upon any of the Proprietarys Rights

As to the Duties required from Lord Baltimores Private Officers
his Agent and receiver

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Here my Lord ought to interpose; for it is a great indignity to
compel his Lordships Agents into a Publick Service without making
them a Liberal allowance and Compensation for their Trouble

As to that required from the Sheriffs

This my Lord will leave to be Debated by the two Houses

As to the Power of the Upper House to Examine Claims and
Accounts

The Upper House are right in making a stand to this Clause in
the Bill and should take care how they Admit Encroachments of this
kind where they are Supported by Arguments drawn from the
Exercise of Like rights in the House of Commons here: The
Constitution of the two Assemblies differ ffundamentally in many
respects. Our House of Commons stands upon its own Laws, The
Lex Parliamenti, Whereas assemblies in the Colonies are regulated
by their respective Charters, Usages and the Common Law of Eng-
land, and will never be Allowed to Assume all those Priviledges
which the House of Commons are intitled to Justly here upon Prin-
ciples that neither can nor must be applied to the Assemblies of
the Colonies

As to the Narrowness of the Exemption of Persons to be
Assessors

My Lord has nothing to do with this

As to the Double Tax on Non-Jurors

My Lord would do right to join with the Upper House in Opposing
this Double Tax because it is a Breach of Publick Faith and tends p. 420
to Subvert the very foundations of the Maryland Constitution and
can be Excused by Nothing but a well Grounded Jealousy of
Dangerous Practices and Disafection in the Papists.

As to the Clause enabling Debtors and Creditors to retain.

This is very Absurd but my Lord need not meddle with it.

As to the Tax on Non Residents and Imports

The Upper House are clearly right in that part of their Objection
which relates to British merchandizes imported for I am satisfied
the Mother Country will never endure such an Impost upon their
Trade, the Province may by the same rule Prohibit the Importation,
as well as they may Tax the merchandize imported and it seems to
be a very unwarrantable Attempt to make the English importer of
Goods carried to Maryland in the way of trade, pay a Tax for the
defence of that Province for no other Consideration but the Liberty
of Trading there to which they have an original right, which cannot

U. H. J. be invaded, diminished or even regulated by any thing this Province
 Liber No. 35 can do
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As to the Tax on Tenants for Life

My Lord will leave this to be settled by the two Houses

As to the Tax on uncultivated Lands

This seems to me a very unreasonable Tax, and ought to be resisted by the Proprietary because it seems principally to be at his Estates.

As to Tax on Plate and ready Money

My Lord has Nothing to do with this

As to the Tax on the Governor:

This is rather an uncivil than an unjust Tax and therefore the Upper House would do well to Oppose it as far as they may in reason

Having given my sense upon each of the Objections so far as they have been Taken up and maintained by the Upper House in the Margin of that part of the Case, I shall only add here a General peice of Advice to Lord Baltimore; that in this Disposition of the Lower House to Assume to themselves any priviledge which the English House of Commons enjoy here his Lordship should resist all such Attempts where they are unreasonable with firmness and should never Allow any Encroachment to be Established upon the weight of that adgument singly; for I am satisfiad neither the Crown nor the parliament will ever suffer these Assemblies to erect themselves into the power and authority of the British House of Commons

C: Pratt

Mess.^{rs} Murdock and King attend with M^r George Frasier a member Elected for Prince Georges County to see him qualified who takes the Oaths to the Government Appointed to be Taken by Act of Assembly repeat and Subscribe the Abjuration and Test and then withdrew.

p. 421 Adjourned till Monday Morning Ten of the Clock

March 24

Monday Morning 24 March 1760

This House met again According to Adjournment

Present

The Honble	{ Benjamin Tasker Esq	Col ^o Benjamin Tasker

Stephen Bordley Esq

Mess^{rs} Hanson and Stoddart attend with M. Arthur Lee a member elected for Charles County to see him Qualified who takes the Oaths to the Government appointed to be taken by Act of Assembly repeat and Subscribe the Abjuration and Test and then withdrew

U. H. J.
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March 24

A Message from the Lower House by Mess^{rs} Williamson and Worthington

By the Lower House of Assembly 24th March 1760

May it Please your Honours

This House hath appointed Mr Dulany Mr Earle Alexander Williamson Esq Mr Worthington Mr Hanson Mr Beall and Mr Stoddart a Committee from this House to inspect the Accounts and Proceedings of the Commissioners or Trustees for Emitting Bills of Credit Established by Act of Assembly and desire your Honours to appoint one or more of the Members of your House to Join in the same Committee

Signed p Order MMacnemara Cl Lo Ho

The following Message is sent to the Lower House by Samuel Chamberlaine Esq

By the Upper House of Assembly 24th March 1760
Gentlemen

This House hath Appointed Samuel Chamberlaine Esq to join the members named by your House in a Committee to Inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office

Signed p Order J Ross Cl Up Ho

Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem

p. 422

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning Ten of the Clock

Tuesday Morning 25th March 1760

March 25

This House met again according to Adjournment

Present as Yesterday

Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again According to Adjournment

U. H. J.
Liber No. 35
March 25

Present as in the Morning

Benjamin Tasker Esq; Attended by the Members of this House presented to his Excellency the Address of this House which follows in these words

To his Excellency Horatio Sharpe Esq; Governor and Commander in Chief in and over the Province of Maryland

The Humble Address of the Upper House of Assembly

May it Please your Excellency.

We beg leave to return your Excellency our sincere thanks for your Speech at the opening of this Session and to express our gratitude to that almighty being who has so Conspicuously Conducted the Fleets and Armies of our most Gracious Sovereign, to the many great and Signal Successes Obtained through the Course of the Last year.

These we hope may be considered as an important Step towards inclining the French King to listen to and accept of peace, upon such Terms as may be consistent with the honour of our most Gracious Sovereign and the Interest, Security and hapiness of all his Subjects. But for the Accomplishment of this great and Salutary purpose his Majesty being still Obliged to keep his Sword unsheathed, and having called upon us among his other faithfull and brave Subjects on this Continent at this Juncture chearfully to co-operate with and second to the utmost the extraordinary Succours supplied by our mother Country for our preservation and future Security, We beg leave to Assure your Excellency that we shall with all immaginable Chearfulness and Dispatch do everything in our power to Answer his royal Expectations.

And we are willing to hope, that while the Neighbouring Colonies are Affording the strongest proofs of their Loyalty and affection to the best of Kings by their ready Compliance with his Just and reasonable Demands and of their Prudence in taking Care of their own immediate Security, by exerting their most Vigorous efforts in his Service; We of this Province shall not again be the Single Instance in this part of his Majestys Dominions, of an ungratefull Noncomplyance with those demands so Necessary Tending to the Maintainance of his Majestys Honour and the Security & hapiness of his Dominions in General and of this Province in Particular

^{p. 423} May the rock whereon we have heretofore Split at this Time be Cautiously Avoided so that the Conclusion of this Session may efface the remembrance of all past Failures and the People of this Province be Restored to their former Rank amongst his Majestys most Dutifull and affectionate Subjects

B Tasker President

March 25. 1760

Adjourned till Morrow Morning at Ten of the Clock

Wednesday 26 March 1760

This House met again according to Adjournment

U. H. J.
Liber No. 35
March 26

Present as Yesterday

Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again According to Adjournment

Present as in the Morning

The Governor is pleased to Communicate to this House his Answer to their Address in the following words

Gentlemen of the Upper House of Assembly

I Return your thanks for your address and the assurance you are pleased to give me, that you will with all immaginable chearfulness and Dispatch, do everything in your Power to answer the Expectations of our most Gracious Sovereign

Hor.^o Sharpe

Read the Petition of the Inhabitants of Baltimore County Praying a Bill may be brought in enabling the Justices of said County to sell the present Court House and Prison at Joppa, and to Buy Convenient Ground in Baltimore Town to build a new Court House and Prison therein and the Counter Petition thereto which were referred for the Consideration of the Lower House and sent by Stephen Bordley Esq

Adjourned till Morrow Morning Ten of the Clock

Thursday Morning 27th March 1760

March 27

This House met again According to Adjournment

Present as Yesterday

Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning Ten of the Clock

Friday Morning 28th March 1760

p. 424
March 28

This House met again according to Adjournment

U. H. J.
Liber No. 35
March 28

Present as Yesterday

Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

March 29

Saturday Morning 29th March 1760

This House met again According to Adjournment

Present as Yesterday

Adjourned till Monday Morning Ten of the Clock

March 31

Monday Morning 31st March 1760

This House met again according to Adjournment

Present

The Honble	Benjamin Tasker Esq	Daniel Dulany Esq
	Samuel Chamberlaine Esq	Stephen Bordley Esq
	Col ^o Benjamin Tasker	

A Bill from the Lower House by M^r Tilghman and others Entituled an Act for granting a Supply of £60,000 for his Majestys Service and for defraying the Expence heretofore incurred for the Defence and Security of the Frontier Inhabitants of this Province and for other Purposes therein mentioned thus Endorsed.

By the Lower House of Assembly 28th March 1760

Read the first Time and ordered to lye on the Table,

Signed p Order MMacnemara Cl Lo H

Read the Second Time and will Pass.

Signed p Order MMacnemara Cl Lo H

Read the Petition of sundry Inhabitants of Chester Town in Kent County Praying a Bill to be brought enabling them to hold a Market at the Place already laid out for a Market House in the said Town, the Petition of the Vestrimen of Port Tobacco Parish in Charles County Praying a Bill may Pass to make valid the Proceedings of Some of the Vestrimen of the said Parish, The Petition of several of the Inhabitants of Prince Georges Parish in Frederick County praying a Bill may pass supporting a House near M^r Henry Leeks for a Chappel of Ease in said Parish the Petition of the Justices and grand Jurors of Cecil County praying a Bill may pass appointing

a House to receive and entertain the Poor of the said County, The Petition of sundry Inhabitants in and about George Town in Frederick and Prince Georges Counties praying a Bill to alter the Clause in the former Bill about improvements of the Lots in the said Town the Petition of the Minister Vestrymen and Church Wardens of all saints Parish in Frederick County praying a Bill Enabling the Justices of the said County to levy on the Taxable Inhabitants of the said Parish a sum not exceeding 200000 pounds of Tobacco at three Different Levies towards building and Compleating the Church and Chapples in said Parish Referred to the Consideration of the Lower House and sent by Benedict Calvert Esq;

U. H. J.
Liber No. 35
March 31

Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again According to Adjournment

Present as in the Morning

Read the first time the Bill Entituled an Act for granting a Supply of £60000 for his Majestys Service and for defraying the Expences heretofore incurred for the Defence and Security of the Frontier Inhabitants of this Province and for other Purposes therein mentioned and will not pass and sent to the Lower House by Daniel Dulany Esq.

Adjourned till to Morrow Morning Ten of the Clock

Tuesday Morning 1st April 1760

April 1

This House met again According to Adjournment

Present as Yesterday and Col.^o Hammond

Ordered that the Register of the Commissarys Office attend this House with the Inventory or Inventory's of Mr Tobias Stansbury late of Baltimore County Deceased his Estate and List of Debts for the Inspection of this House

Read the first time a Bill Prepared in this House Entituled an Act for Naturalization and ordered to lye on the Table read the second time by especial Order and will pass and sent to the Lower House by Benedict Calvert Esq

Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again According to Adjournment

Present as in the Morning

The following Bills brought by Mess^{rs} Murdock and Stewart one Entituled an Act continuing An Act Entituled An Act for the

U. H. J. Speedy recovery of small Debts out of Court before a Single Justice
 Liber No. 35 of the peace An Act to prevent persons from Secreting Boats Flats
 April 1 and other Vessels drove by Stress of Weather or otherwise from
 p. 426 Landings or Moorings An Act to raise a Fund for the Support of
 an Agent in Great Britain for the service of this Province An Act
 continuing an Act Entituled An Act for the relieving the Inhabitants
 of this Province from some aggrievances in the Prosecution of suits
 at Law and for continuing the Supplementary Act thereto. An Act
 continuing An Act Entituled An Act for the Advancement of Justice
 An Act to Increase the Sallaries of the Inspectors of Snow Hill
 Warehouse in Worcester County and of Plymouth Warehouse in
 Dorchester County An Act Continuing An Act Entituled an Act
 Directing the Manner of Punishing Fornication and Adultery before
 a Single Justice of the Peace out of Court An Act Continuing An
 Act Entituled An Act to prevent Masters of Ships and Vessels from
 Clandestinely carrying servants and Slaves or persons indebted out
 of this Province, An Act Continuing An Act Entituled a Supple-
 mentary Act to the Act Entituled An Act for the relief of Creditors
 in England against Bankrupts who have imported Goods into this
 Province not Accounted for An Act Continuing an Act Entituled An
 Act for Preventing Indians Disaffected to the British Interest in
 America from coming into this Province as Spies or on any other
 Evel Design An Act Continuing An Act Entituled an Act for the
 Gauge of Barrels for Pork beef Pitch Tarr Turpentine and Tare
 of Barrels for Flour or Bread, An Act Continuing An Act Entituled
 An Act to remedy Some Evils Relating to Servants An Act Con-
 tinuing An Act Entituled a Supplementary Act to the Act Ascertaining
 the heighth of Fences to prevent to Evil Occasioned by the
 Multitude of Horses and restraining Horse rangers within this
 Province and to redress the great Evil Accruing to this Province by
 the Multiplicity of useless Horses mares and Colts that run in the
 Woods and a Bill Entituled An Act for reducing the Interest upon
 Tobacco and money Severally thus endorsed

By the Lower House of Assembly 1st April 1760

Read the first and Second Time by an especial Order and Will
pass.

Signed p Order M Macnemara Cl Lo H

Read the first Time in this House and ordered to lye on the Table
 p. 427 Adjourned till to Morrow Morning 10 of the Clock

April 2

Wednesday Morning 2^d April 1760

This House met again According to Adjournment
 Present as yesterday except Col.^o Hammond

A Bill by Mess.^{rs} Hanson and Stoddart Entituled An Act to Aid
 Some Proceedings of the Vestry of Port Tobacco Parish in Charles-

County and to impower the said Parish to Elect Vestrymen and Church Wardens thus endorsed

U. H. J.
Liber No. 35
April 2

By the Lower House of Assembly 2^d April 1760

Read the first and Second Time by an especial Order and will Pass.

Signed p Order MMacnemara Cl Lo Ho

Read the first Time in this House and ordered to lye on the Table
Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the Petition of the Subscribers Sufferers by Fire at Lewellins Warehouse in Saint Marys County referred to the Consideration of the Lower House and sent by Stephen Bordley Esq

Adjourned till to Morrow Morning Ten of the Clock

Thursday Morning 3^d April 1760

April 3

This House met again According to Adjournment

Present as yesterday and Richard Lee Esq

A Bill by Mess.^{rs} Dulany and Carroll Entituled an Act for the Speedy and effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer thus endorsed

By the Lower House of Assembly 2^d April 1760

Read the first Time and ordered to lye on the Table

Signed p Order M Macnemara Cl Lo Ho

Read the Second Time and Will pass.

Signed p Order M Macnemara Cl Lo Ho

Read the first Time in this House and ordered to lye on the Table

Read the Petition of Mary Stansbury Widow praying a Bill may be brought in to sell Lands for the payment of Debts and referred to the Consideration of the Lower House and sent by Richard Lee Esq

Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again According to Adjournment

U. H. J.
Liber No. 35
April 3
p. 428

Present as in the Morning

Read the Second time the Bill for the Speedy and effectual Publication of the Laws of this Province and for the Encouragement of Jonas Green of the City of Annapolis Printer passed & sent to the Lower House by Stephen Bordley Esq

Adjourned till Saturday Morning Ten of the Clock

April 5

Saturday Morning 5th April 1760

This House met again According to Adjournment

Present as on Thursday and Col^o Hammond

A Bill by Mess.^{rs} Goldsborough and Earle Entituled an Act to Continue the several Taxes and Duties mentioned in the Act for granting a Supply of £40,000 for his Majestys Service and the several Acts therein mentioned and for suspending the time appointed by the said Act for laying an Additional Tax on Lands thus Endorsed

By the Lower House of Assembly 4th April 1760

Read the first Time and ordered to lye on the Table.

Signed p Order MMacnemara Co Lo Ho

By the Lower House of Assembly 4th April 1760

Read the second Time by an Especial Order and will Pass.

Signed p Order MMacnemara Cl Lo Ho

Read the first time in this House and ordered to lye on the Table

Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again According to Adjournment

Present as in the Morning

Read the Second time the Bill to Aid some proceedings of the Vestry of Port Tobacco Parish in Charles County and to impower the said Parish to Elect Vestrymen and Church Wardens An Act to prevent Indians disaffected to the British Interest in America from coming into this Province as Spies or on any other Evil Design An Act Continuinag An Act Entituled An Act to prevent Masters of Ships and Vessels from clandestinely carrying Servants and Slaves or persons indebted out of this Province An Act to prevent persons from Secreting Boats Flats and other Vessels drove by stress of Weather or otherwise from Landings or Moorings An Act Continuing An Act Entituled a Supplementary Act to the Act Entituled An Act for the relief of Creditors in England against Bankrupts who have imported Goods into this Province not ecounted for. An Act
p. 429 Continuing an Act Entituled An Act for the Advancement of Justice

An Act to increase the Sallaries of the Inspectors of Snow Hill Warehouse in Worcester County and Plymouth Warehouse in Dorchester County which were all passed and sent to the Lower House by Daniel Dulany Esq;

U. H. J.
Liber No. 35
April 5

Read the Petition of several the Planters and Merchants of Charles County on behalf of themselves and others praying a removal of the Inspection House at Piles fresh from the place it now stands to a quarter of a mile below where a salt House of M^r Piles now stands, referred to the Consideration of the Lower House and sent by Richard Lee Esq;

Samuel Chamberlaine Esq; from the Committee appointed to Inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office brings in the following report Maryland ss.

At a Committee of Both Houses of Assembly appointed to Inspect the Accounts and Proceedings of the Commissioners for emitting Bills of Credit established by Act of Assembly April 4.th 1760

Were present

The honourable Samuel Chamberlaine Esq; of the Upper House Chairman

Mess.^{rs} Walter Dulany, Michael Earle, Alexander Williamson, Robert Lloyd, John Hanson Jun., Josias Beall jun and John Trueman Stoddart of the Lower House.

Who agree to make the following Report

Your Committee think it Necessary at this Time to report to your Honours that as soon as it was Convenient after their Appointment they Attended in the Paper Currency Office in order to proceed to their duty when they were informed of M^r Richard Dorsey Clerk of that Office that by means of his long indisposition the Books and Proceedings of the said Office were not in a proper state and Condition for their immediate inspection but that he would use his endeavours in a few days to have them so, in a short time after which he was as your Committee are informed again taken so ill as to be incapable of Attending his Duty and has been ever since confined to his House in the Country by which means and by reason of the said Books and Proceedings not being yet in Order for Inspection your Committee have not had it in their power to enquire Particularly into the state and Condition of the said Office or into the Conduct and behaviour of the Commissioners or Trustees thereof but think it their duty to Observe that the Books and Accounts relative thereto seem to be kept nearly in the same irregular manner as has been repeatedly reported to your Honours by former Committees which must ever in their Opinion, while they remain so, render the enquiries of your Committees intricate, Difficult and p. 430

U. H. J. Tedious and Perhaps may in the end frustrate the Good intention
 Liber No. 35 of the Legeslature in directing such enquiry.
 April 5

All which is Submitted to the consideration of both Houses of Assembly.

Samuel Chamberlaine
 Michael Earle Alexander Williamson
 Rob^t Lloyd John Hanson Jun.
 Jo.^s Beall Jun. John Truman Stoddart

Adjourned till Monday Morning Ten of the Clock

April 7

Monday Morning 7th April 1760

This House met again According to Adjournment

Present

The honble	Benjamin Tasker Esq	Richard Lee Esq
	Col. ^o Hammond	Benedict Calvert Esq
	Samuel Chamberlaine Esq	D Dulany Esq
	Col ^o Tasker	S. Bordley Esq

Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again According to Adjournment

Present as in the Morning

Read the second Time the Bill entituled an Act to continue the several Taxes and duties mentioned in the Act [of 1756] for granting a Supply of £40000 for his Majestys Service and the several Acts therein mentioned and for suspending the Time Appointed by the said Act for laying an Additional Tax on Lands and will not pass [*see pp. 247, 248, 250*] and was sent to the Lower House with the following Message and the Bill Entituled An Act for the raising a fund for support of an agent in Great Britain for the Service of this Province and will not pass and sent to the Lower House by Samuel Chamberlaine Esq

By the Upper House of Assembly 7th April 1760
 Gentlemen

We are equally desirous with yourselves to afford all reasonable Relief to the People of this Province in General and the Land holders in Particular upon whom a very heavy Tax by the great Deficiency of the Funds for Sinking the £40,000 must in a short time be laid, unless by some Bill to be passed this session including a larger number of Contributors that Inconvenience shall be Obviated

but at the same time that we are strongly inclined to relieve Individuals, we think it incumbent upon us to pay all the regard to Publick Faith and Consequently to Publick Credit, which these very important points Deserve and our present Circumstances will allow

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April 7
p. 431

In these respects as well as some other, the Bill herewith returned with a Negative Appears to us to be Defective, but we are not without hope of Receiving another upon a plan more consistent and less liable to objections and have therefore taken the Liberty of recommending to your Consideration a Tax long experienced in this Province and more equal and less grevious to the People than a Land Tax, together with the Appropriation and Continuance of the Funds mentioned in the Bill to have answered or almost Answered the ends for which they were created, the annual produce whereof in future may be nearly estimated on a review of the annual Income they have hitherto Produced, and as we are informed that the Deficiency which by the Law as it now stands is to be made Good by a Land Tax only, has been calculated at about £26,000 we Conceive this sum may be Discharged by these means in two years from this Time, without any considerable Inconvenience or just Cause of Complaint

The Publick Faith and Credit must be preserved at all Events and shoud you therefore not be inclined to fall upon some method for the ease of the Landed Interest, less Exceptionable than those proposed by the Bill we have rejected rather than expose these to any hazard, we shall be Obliged to Suffer the unequal Burthen on Land imposed by the Original Bill, to Take place

Signed p order J Ross Cl Up Ho

Adjourned till To morrow Morning at 10, of the Clock

Tuesday Morning 8.th April 1760

April 8

Present as yesterday except Colonel Hammond

Eight Engrossed Bills from the Lower House by Mess.^{rs} Williamson and Gant Viz.^t

An Act Entituled an Act to prevent persons from Secreting Boats Flats & other Vessels drove by Stress of Weather or otherwise from Landings or Moorings

An Act Continuing An Act Entituled An Act to prevent Masters of Ships and Vessels from Clandestinely carrying servants and slaves or persons indebted out of this Province

An Act Continuing An Act Entituled a Supplementary Act to the Act Entituled an Act for the relief of Creditors in England against Bankrupts who have imported goods into this Province not Accounted for

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Liber No. 35
April 8

An Act Continuing An Act Entituled An Act for the Advancement
of Justice

p. 432 An Act Continuing An Act Entituled an Act for preventing
Indians Disaffected to the British Interest in America from coming
into this Province as Spies or on any other Evel Design

An Act Entituled An Act to Aid Some proceedings of the Vestry
of Port Tobacco Parish in Charles County and to impower the said
Parish to Elect Vestrymen and Church Wardens

An Act to Increase the Sallaries of the Inspectors of Snow Hill
Warehouse in Worcester County and Plymouth Warehouse in Dor-
chester County

An Act Entituled An Act for the Speedy and effectual Publica-
tion of the Laws of this Province and for the Encouragement of
Jonas Green of the City of Annapolis Printer Severally thus Sub-
scribed.

7th April 1760

Read and Assented to by the Lower House of Assembly.

Signed p Order MMacnemara Cl Lo Ho

Read and Assented to by this House and ordered to be so Sub-
scribed

Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem

This house met again According to Adjournment

Present as in the Morning

Read the second time the Bill Entituled An Act continuing An
Act entituled An Act for relieving the Inhabitants of the Province
from some agrievances in the prosecution of suits at Law and for
continuing the Supplementary Act thereto, An Act Continuing An
Act Entituled An Act for the Gauge of Barrels for Pork Beef Pitch
Tar Turpentine and Tare of Barrels for Flour or Bread, An Act
continuing An Act Entituled An Act to remedy some Evils relating
to Servants, An Act Continuing An Act Entituled a Supplementary
Act to the Act Assertaining the heigh of Fences to prevent the Evil
Occasioned by the Multitude of Horses and restraining Horse
rangers within this province and to redress the great Evil Accruing
to this Province by the Multiplicity of useless mares and Colts that
run in the woods, and with the following amendments will Pass,
leave out all the remaining part of the Bill after the words in full
force in the Last line but two, and sent to the Lower House by
Benedict Calvert Esq;

The Bill prepared in this house entituled an Act for Naturalization brought from the Lower House thus endorsed Mess.^{rs} Stoddart and Carroll

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Liber No. 35
April 8

By the Lower House of Assembly 1st April 1760 p. 433

Read the first Time and ordered to lye on the Table

Signed p Order M. Macnemara Cl Lo Ho

By the Lower House of Assembly 8th April 1760

Read the Second Time and with the amendments herewith sent will Pass

Signed p Order M Macnemara Cl Lo H

By the Lower House of Assembly April 8.th 1760

Amendments Proposed to the Bill entituled an Act for Naturalization, To the Title of the Act Add the following words (Foreign Protestants), In the last line of the second Page instead of the word Oath insert the word Oaths, In the fourth line of the third Page after the word "Wales strike out the word And In the thirteenth line of the third Page after the word Provincial insert the words or any County after the word record in the Seventeenth line of the third page Add the following Clauses towit. Provided always and be it Enacted by the Authority afs^d that no Person of what quality Condition or place Whatsoever other than and except such of the People called Quakers and all Foreign Protestants who Conscientiously scruple the Taking an Oath as shall Qualify themselves and be Naturalized by the ways and means herein before mentioned shall be Naturalized by virtue of this Act unless such person shall have received the Sacrament of the Lords Supper in some Protestant and reformed Congregation within this Province within three Months next before his Taking and Subscribing the said Oaths and making repeating and Subscribing the said Declaration and shall at the time of his Taking and Subscribing the said Oaths and making repeating and Subscribing the said Declaration produced Certificate signed by the person Administering the said Sacrament and attested by two Credible Witnesses whereof an Entry shall be made in the Provincial or the County Court of this Province where the said Oaths shall be so Taken as aforesaid without ffee or reward

Provided Also and it is hereby further Enacted by the Authority aforesaid that nothing in this Act Contained shall Extend or be Construed to extend to naturalize any person or persons whatsoever who by Virtue of an Act of Parliament made in the 4th Year of his Majestys Reign Entituled an Act to explain a Clause in an Act made in the Seventh Year of the Reign of her Majesty Queen Ann for Naturalizing Foreign Protestants which relates to the Children of Natural born Subjects of the crown of England or of great

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Liber No. 35
April 8
p. 434

Britain (are declared and enacted not to be entituled to the Benefit of the said Act of the Seventh year of her said late Majestys Reign but that all such Persons shall be and remain in the same state plight and Condition to all Intents Constructions and Purposes Whatsoever as they would have been if this Act had never been made, anything herein contained to the contrary in anywise notwithstanding. Provided also and be it Likewise enacted by the Authority Advice and Consent aforesaid that nothing herein contained shall be Construed deemed or Taken to secure or make Valid the Estate Right or Title of any person or persons being a papist or papists or reputed so to be or of any romish or Jesuitical Priest or priests or persons reputed so to be of in or to any Lands Tenements or Hereditaments that he she or they now is are or shall be in possession of or do or hereafter shall claim any Estate in or right and Title to but that the Estate right or Title of every such person or persons being a Papist or Papists or reputed so to be or romish or Jesuitical Priest or Priests or Persons reputed so to be shall remain and Continue in the same Right state and Condition to all intents and Purposes which it would have been had this Act never been made anything herein before Contained to the Contrary Notwithstanding

Signed & order MMacnemara Cl Lo H

The Journal of Accounts brought from the Lower House by
Mess^{rs} Govane and others thus Subscribed 8th April 1760.

Read and Assented to by the Lower House of Assembly.

Signed p Order MM Macnemara Cl Lo Ho

Read the Second time the Bill Entituled an Act Continuing An
Act Entituled an Act for the Speedy recovery of small Debts out of
Court before One Justice of the peace An Act Entituled An Act
Directing the Manner of Punishing Fornication and Adultery before
a Single Justice of the Peace out of Court and will not Pass, and
sent to the Lower House by Richard Lee Esq

Adjourned till To Morrow Morning at Ten of the Clock

Wednesday Morning 9th April 1760

This House met again according to Adjournment

Present as Yesterday

Read the second Time the Bill Entituled An Act for reducing the Interest upon Tobacco & Money and with the amendments herewith sent will pass and Sent to the Lower House by Col^o. Tasker

By the Upper House of Assembly 9th April 1760

After the word money in the preamble Add the following words Viz.^t and the regular payment thereof to Creditors and after the word trade Add the following words Viz.^t and Credit and strike out the word is and insert are In the first Enacting Clause leave out the Word Tobacco throughout and also leave out the following words in the same Clause after the word whatever Viz.^t than five pounds of Tobacco for the forbearance or Interest of One hundred Pounds of Tobacco for one whole year and so in proportion for a greater or lesser Quantity or Time and also after the word Province and before the word five in the said Clause insert the word than and add between the word time and any in the said Clause the following words Viz.^t In case the said Interest shall be paid or Tendered by the Debtor to the Creditor at the time and times when the payment thereof shall be preserved by the Contract of the Parties In the second Enacting Clause leave out the word Tobacco throughout, and Also the following words Viz.^t five pounds of Tobacco for forbearance or Interest of One hundred Pounds of Tobacco and leave out also the word respectively In the third Enacting Clause leave out the word Tobacco throughout and also leave out the following words Pounds of Tobacco for the Interest and forbearance of one hundred Pounds of Tobacco or five Pounds leave out also the word respectively in the said Clause. Leave out in the said Clause the following words Viz.^t One Moiety to the use of the Publick School of the County where said Offence shall be committed the other half to the Informer or him her or them who shall sue for the same and insert the following words Viz.^t To the Right honourable the Lord Proprietary his Heirs and Successors for the support of Government Insert also after the Previso in the Bill the following Proviso.

Provided also that in case any Person or Persons who shall be chargeable with and liable to the Payment of an Interest not exceeding the rate settled and Limited by the Act aforesaid shall fail or omit to Pay or Tender the paym.^t of the Interest aforesaid Annually then & in such case it shall and may be Lawfull for the Creditor or person Entituled to the Interest as aforesaid to Take demand and receive besides the Simple Interest an Additional Interest on the Simple Interest at or after the aforesaid Rates of Five Per-centum and the Security and Securitys by which the Debtor shall be liable with the payment of the Principal Money & Simple Interest shall be Deemed and taken as a Security and also for the Compound Interest aforesaid to all intents and Purposes Whatsoever any thing hereinbefore contained or any Law Statute usage or Custom to the Contrary Notwithstanding

Leave out also the Continuing Clause

Signed p order J Ross Cl Up H

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Liber No. 35
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p. 436

The following with the Naturalization Bill is sent to the Lower House by Daniel Dulany Esq;

By the Upper House of Assembly 9th April 1760

Gentlemen

We agree to your amendments made to the Act for Naturalization except as follows Viz.^t We do not agree to the amendment of leaving out the word and in the 4th line of the third Page because the Inserting it is agreeable to the Title of the Act of Parliament recited. In the 4th line of the last Proviso leave out the words any Person or Persons being a Papist or Papists or reputed so to be or of, leave out the word she in the 7th line of the same Proviso, and in the 9th Line thereof leave out the following words, Person or Persons being a Papist or papists or reputed so to be or

Signed p Order J Ross Cl Up Ho

The said Bill is returned to this House by [Alexander Williamson and M^r Carroll] with the following Message

By the Lower House of Assembly 9th April 1760
May it Please your Honours

We return you the Bill Entituled an Act for Naturalization but cannot agree to alter any of our Amendments Proposed to the said Bill except that the word and in the 4th line of the 3^d page may be inserted

Signed p Order MMacnemara Cl Lo H

Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Present as in the Morning

A Bill by Mess.^{rs} Goldsborough and Dorsey Entituled An Act for the ease of the Land holders within this Province thus endorsed

By the Lower House of Assembly 9th April 1760

Read the first and second time by an especial Order and will pass

Signed p Order MMacnemara Cl Lo Ho

Read the first Time in this House and ordered to lye on the Table
Adjourned till To Morrow Morning at 10 of the Clock

April 10
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Thursday Morning 10 April 1760

This House met again According to Adjournment
Present as Yesterday and Col.^o Hammond

Read the first and second Time by especial order a Bill prepared by this House Entituled An Act for dividing All Saints Parish in Frederick County and for Erecting a Chapple of Ease there into a Parish Church Passed and sent to the Lower House by Samuel Chamberlaine Esq;

U. H. J.
Liber No. 35
April 10

The aforesaid Bill brought from the Lower House by Mess^{rs} Dorsey and Cresap thus Endorsed

By the Lower House of Assembly 10th April 1760

Read the first and second Time by an especial order and will not pass

Signed p Order MMacnemara Cl Lo Ho

Adjourned till 3 of the Clock in the afternoon

Eodem Die Post Meridiem

This House met again according to Adjournment

Read the second time the Bill Entituled an Act for the ease of the Land Holders within this Province and will pass with the following amendments Viz. instead of Philip Thomas and William Goldsborough Esq^r in the 4th line and 5th line of the 3^d Page put Daniel Dulany and Stephen Bordley Esq^{rs} in the 10th line of the same page put one instead of two in the 15 line of the same page put six instead of seven in the next line put Six instead of Seven in the 23^d line of the same page put six instead of seven in the Sixth line of the 4th page put one instead of two in the Seventeenth line of the 5th page put one instead of two in the 5th line of the Sixth page put two instead of three

Signed p order J Ross Cl Up Ho

and was sent to the Lower House by Stephen Bordley Esq

The Governor Communicates to this House the following Message with the address of the Lower House and their resolves

Gentlemen of the Upper House of Assembly

The Gentlemen of the Lower House having sent me a Copy of some resolves which they thought proper to make on a full Consideration of the Letters and opinion which I laid before you and them at the Opening of this Session and also having informed me by an address agreeable to those resolves that a Bill was Prepared by them and sent to you for your Concurrence; but by your Returning it with a Negative their endeavours to promote his Majestys Service have been Frustrated I think it my Duty to Submit the above mentioned Resolves and Address to your Perusal and Consideration

Hor.^o Sharpe

the 10th April 1760

U. H. J. To his Excellency Horatio Sharpe Esq; Governor and Commander
Liber No. 35 in Chief in and over the Province of Maryland
April 10 The Humble Address of the House of Delegates
p. 438

May it Please your Excellency

That your Excellency may be Enabled to give an Answer to the Letter from General Amhurst which you was pleased to communicate to us at the Opening of the Session we have thought Proper to send you a Copy of the resolves entered into on a full Consideration of that and the other Papers then laid before us

Agreeable to their Resolves a Bill (justifiable as we apprehend upon the Principals of our Constitution and Consistent with our rights and Priviledges) was prepared and passed this House with all Possible Dispatch and sent to the Upper House for their Concurrence and altho that Bill has been returned to us with a Negative by which our endeavours to Promote his Majestys Service have been frustrated we are well Satisfied that we have on our part done every thing that can be expected from Dutifull and loyal Subjects

Resolved that this House will make a Provision for levying Cloathing and paying 1000 men to Act in Conjunction with the Forces under the Command of General Amhurst or other person duly Authorized the ensuing campaign

Resolved that the sum of £12 Bounty money be paid to each able Bodied Man that shall be enlisted by any Officer and shall pass muster and serve under the Command of this Excellency General Amhurst or other person duly Authorized and 20/ be paid to each Officer who shall inlist such able Bodied Man

Resolved that this House will out of the first supplies that shall be granted for his Majestys Service appropriate a Sum sufficient to pay to the Money Advanced in the year 1758 by General Forbes for the pay Victualling and cloathing of the Troops formerly in the pay of this Province from the time the money granted for the pay Subsistance and Cloathing said men was expended till the said Troops were taken into his Majestys Service in the year 1758 by General Forbes so far as the same shall appear to this House to be just and reasonable and it is further Resolved that if it shall appear that General Forbes has not paid all the money that may be due for the pay victualling and Cloathing of the said Men from the Time the money granted for that purpose was expended till the Time they were Taken into his Majestys Service that then this House will make a Provision for what further sum may be due for the Pay Victualling and Cloathing of the said men

p. 439 Resolved that this House will out of the first Supplies that shall be granted for his Majestys Service appropriate a sum sufficient to Pay the Money Advanced in 1758 by General Forbes for the Pay and Cloathing of the Troops formerly in the Pay of this Province

and by him taken into his Majestys service from the time those Troops entered into the said Service to the end of the Campaign in 1758 so far as the same shall appear to this House to be just and reasonable

U. H. J.
Liber No. 35
April 10

Resolved that this house will make Provision for paying such of the Inhabitants of this Province as have in consequence of the Governors request marched from any of the Counties of this Province for the Defence of the Frontiers of this Province since the march of General Braddock from Frederick Town in Frederick County or have garrisoned the Forts of this Province since the Forces that have been raised by this Province were Taken by General Forbes from the said Forts into his Majestys Service and also that this House will make Provision for paying such Persons as have supplied Provisions and other Necessaries for the use of the said men who have marched as aforesaid or Garrisoned the said Forts and for the expence of the Carriage of such Provisions and other Necessaries

Resolved that such Provision be by the appropriation of a sum sufficient for the said Purposes out of the first Supplies which shall be granted for his Majestys Service

Resolved also that out of the said Supplies shall be appropriated the following Sums Viz.^t A sum sufficient to reimburse such Persons as have been necessarily put to Expences on Account of quartering his Majestys regular Troops in Cecil Kent and Ann Arundel Counties A sum not exceeding £250 for Clearing a road from Fort Frederick to Fort Cumberland through this Province for his Majestys service

Resolved that the sum of £60,000 be granted for his Majestys Service and the Defence and Protection of the Inhabitants of this Province by an equal Assessment on all estates real and Personal and lucrative Offices and Employments

Benjamin Tasker Esq attended by the members of this House presents to his Excellency the following Address

To his Excellency Horatio Sharpe Esq Governor and Commander in Chief in and over the Province of Maryland

The Humble Address of the Upper House of Assembly.

May it Please your Excellency

As we presume your Excellency hath not yet been Convinced that repeated Professions Contradicted by an uniform Series of Actions, are the Infallable truths of a Genuine and Zealous Regard for the Publick Welfare or that they whom the Gentlemen of the Lower House woud chuse to reproach are always Justly Chargeable with Misconduct, we shall only inform your Excellency that the Bill we are accused of having Rejected and thereby frustrated their

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April 10

endeavours to Promote his Majestys Service is essentially the same with the five Bills we had in as many Sessions before Dissented to, and that this Bill which they seem Determined to represent as Justifiable upon the Principals of our Constitution and Consistent with their rights and Priviledges is the same with that his Majestys Attorney General in the Opinion Communicated to General Assembly at the Commencement of this Session held to be Absurd unreasonable against the Duty we owe to the Mother Country, a Breach of Publick Faith, Subversive of the very foundations of the Maryland Constitution, and to have a Tendency to Erect a Power and Authority in the Lower House which neither the Crown nor the Parliament would ever suffer them to Exercise

As our Objections have never been refuted and no Attempt hath been made this Session to Obviate them and no good reason or decent cause has been assigned for slighting M. Pratts Sentiments, so we rest assured that tho we cant escape the Censure of the Lower House our Conduct will not be condemned by those who can Examine with Candour and will determine without Partiality

Benj: Tasker President

Read the Journal of Accounts and will not be Assented to and sent to the Lower House by Benedict Calvert Esq

Adjourned till To Morrow Morning Ten of the Clock

April 11

Friday Morning 11th April 1760

This house met again According to Adjournment

Present as yesterday except Col.^o Hammond

The several Paper Bills the Originals of which have Passed this House this Session are sent to the Lower House by Benedict Calvert Esq

Samuel Chamberlaine Esq and Col.^o Tasker are sent to the Lower House to Acquaint the Speaker that his Excellency requires his immediate Attendance with the rest of the members of the Lower House in the Upper House to see the several Bills passed both Houses this Session receive their Assent

The Lower House Attend and by their Speaker present to his Excellency the following Bills

An Act Entituled An Act to prevent persons from Secreting Boats Flats & other Vessels drove by stress of Weather and otherwise from Landings or Moorings

p. 441 An Act Continuing An Act Entituled An Act to Prevent Masters of Ships and Vessels from Clandestinely carrying Servants and Slaves or Persons indebted out of this Province

An Act Continuing An Act Entituled A Supplementary Act to
the Act Entituled An Act for the relief of Creditors in England
against Bankrupts who have imported Goods into this Province
not Accounted for

U. H. J.
Liber No. 35
April 11

An Act Continuing An Act Entituled an Act for the Advance-
ment of Justice

An Act Continuing An Act Entituled An Act for Preventing
Indians Disaffected to the British Interest in America from coming
into this Province as Spies or on any other Evel Design

An Act Entituled An Act to Aid Some Proceedings of the Vestry
of Port Tobacco Parish in Charles County and to impower the said
Parish to Elect Vestrymen and Church Wardens

An Act to Increase the Sallaries of the Inspectors of Snow
Hill Warehouse in Worcester County and Plymouth Warehouse in
Dorchester County

An Act Entituled An Act for the Spedy and effectual Publica-
tion of the Laws of this Province and for the Encouragement of
Jonas Green of the City of Annapolis Printer

All which his Excellency passed into Laws in the usual Form by
sealing with the right honourable the Lord Proprietary his great
Seal at Arms and Subscribing them on behalf of the right honourable
the Lord Proprietary of this Province I Will this be a Law

After which his Excellency was pleased to Conclude this Session
with the following Speech

Gentlemen of the Upper and Lower Houses of Assembly

I have thought fit with the Advice of his Lordships Council of
State to Prorogue this Assembly to the first Monday in July next,
you are to take Notice therefore that you are prorogued to that day
Accordingly

Thus ends this Session of Assembly begun and held at the City
of Annapolis on Saturday the 22^d day of March and ending the
Eleventh day of April in the 9.th Year of his Lordships Dominion
Annoq Domini 1760

J Ross Cl Up H

PROCEEDINGS
OF THE
LOWER HOUSE OF ASSEMBLY

L. H. J.
Liber No. 51 Saturday the 22d Day of March, in the Year of our Lord One
1760 Thousand Seven Hundred and Sixty, and in the Ninth Year of
March 22 the Dominion of the Right Honourable Frederick, Absolute Lord
p. 168 and Proprietary of the Provinces of Maryland and Avalon, Lord
Baron of Baltimore, &c. (his Excellency Horatio Sharpe, Esq; being
Governor), the following Delegates appeared in the Lower House
of Assembly, viz.

The Honourable Col. Henry Hooper, Speaker.

For Kent County,

Alexander Williamson, Esq;
Major William Hynson.

For Anne-Arundel County,

Philip Hammond, Esq;
Capt. John Gassaway,
Mr. Charles Carroll,
Mr. Brice T. B. Worthington.

For Calvert County,

Mr. Edward Gantt,
Col. William Fitzhugh.

For Charles County,

Mr. John Hanson, junior,
Capt. George Dent,
Mr. John Trueman Stoddert.

For Talbot County,

Mr. Woolman Gibson.

For Dorchester County,

Col. Henry Travers.

For Baltimore County,

Capt. Thomas Cockey Deye,
Mr. William Govane,
Mr. John Hammond Dorsey,
Mr. Samuel Owings.

For Cæcil County,

Mr. Michael Earle,
Mr. Francis Mauldin.

For Prince-George's County,

Mr. William Murdock,
Mr. Francis King,
Mr. Josias Beall, junior.

For the City of Annapolis,

Mr. Walter Dulany,
Dr. George Steuart.

For Queen-Anne's County,

Mr. Robert Lloyd,
Mr. Edward Tilghman,
Col. William Hopper.

For Frederick County,

Capt. Joseph Chapline,
Mr. Edward Dorsey.

A sufficient Number of Delegates to compose the Lower House of Assembly being convened at the Stadt-House;

L. H. J.
Liber No. 51
March 22

Ordered, That Mr. Carroll and Dr. Steuart do acquaint his Excellency the Governor therewith.

They return and acquaint Mr. Speaker, That they delivered the Message.

Samuel Chamberlaine, Esq; and Col. Tasker, from the Upper House, acquaint Mr. Speaker, That the Governor requires the Attendance of the Lower House of Assembly immediately in the Council Chamber.

Mr. Speaker left the Chair, and (with the rest of the Members p. 169 of the Lower House) went to the Council Chamber; where his Excellency made the following Speech:

Gentlemen of the Upper and Lower Houses of Assembly,

It gives me much Pleasure to have an Opportunity of [*This speech beginning thus is printed in full in Upper House Journal, pp. 197-198; the concluding paragraph is reproduced here*]

Gentlemen of the Lower House,

p. 170

I think it my Duty to intreat you in particular, cautiously to avoid at this Time, the Rock on which you have heretofore Split: And since you will find by the Opinion of his Majesty's Attorney-General which I shall communicate to you, that the Supply-Bill, which you offered the Year before last, and again last Year, to the Gentlemen of the Upper House, is deemed such a one as they could not, consistent with their Duty, nor, without violating our Constitution, give their Assent to; permit me to hope, that you will now Frame such a Bill as may be judged unexceptionable, so that the Conclusion of this Session may efface the Remembrance of all past Failures, and demonstrate that we likewise are animated with the same laudable Spirit, which hath, since the Beginning of this War, so remarkably excited our Fellow Subjects to exert their most vigorous Efforts.

Mr. Speaker (with the rest of the Members) returned to the Lower House, and re-assumed the Chair.

Ordered, That the Governor's Speech (a Copy of which he delivered to Mr. Speaker) be Read by the Clerk; which accordingly was, and Ordered to lie on the Table.

His Excellency communicated to Mr. Speaker, the following Letters;

Whitehall, 7th January, 1760.

Sir,

His Majesty having nothing so much at Heart, as to improve [*This letter beginning thus is from William Pitt to Governor Sharpe is printed in full in Upper House Journal, pp. 199-200*].

New York, 21st February, 1760.

L. H. J. Sir,
 Liber No. 51
 March 22 With his Majesty's Commands for the Reduction of all Canada,
 p. 173 received [*This letter from General Amhurst beginning thus is*
printed in full in Upper House Journal, pp. 200-202].

p. 175 And the Opinion of his Majesty's Attorney-General [Charles Pratt]

[*As to the powers of the Lord Proprietary and of the Upper and Lower House on sundry questions which had been submitted to him. For this opinion see Journal of the Upper House, pp. 202-204, where it is printed in full*]

p. 178 Which were severally Read, and Ordered to lie on the Table.

Mr. George Fraser, a Delegate Elected by the Freeholders of Prince-George's County, to serve in the General Assembly of this Province, appeared in the House.

Ordered, That Mr. Murdock and Mr. King do go with Mr. Fraser to the Upper House, to see him Qualified. They return and acquaint Mr. Speaker, They saw him Qualified in the usual Manner.

The Gentleman took his Seat in the House.

On Motion, Ordered, That Mr. Speaker do issue his Warrant to the Deputy Secretary of this Province forthwith to make out a Writ of Election, directed to the Sheriff of Queen-Anne's County, to Elect a Delegate to serve in the General Assembly of this Province, now sitting, in the Room of Mr. Thomas Harris, deceased.

On Motion, Ordered, That Mr. Speaker do issue his Warrant to the Deputy Secretary of this Province forthwith to make out a Writ of Election, directed to the Sheriff of Saint Mary's County, to Elect a Delegate to serve in the General Assembly of this Province, in the Room of Mr. Edmund Key, removed out of this Province,

On Motion, Ordered, That Mr. Tilghman, Mr. Edward Dorsey, Mr. Murdock, Philip Hammond, Esq; and Mr. Carroll, do prepare and bring in an Address to the Governor on his Speech.

Ordered, That the Clerk of the House do make out Summons, directed to the Serjeant at Arms attending this House, to summons those absent Members to attend this House forthwith for Dispatch of Publick Business, who have not sent an Excuse for their Non-Attendance.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

Resolved, That the Hours of Sitting this Session, for Dispatch of Public Business, be from Nine of the Clock until One, and from Half an Hour past Two Afternoon until Six.

Ordered, That Mr. Edward Dorsey do acquaint the Reverend Mr. Alexander Williamson, That he is desired by this House to

Read Divine Service, during this Session, at a Quarter before Nine in the Morning, and at Six of the Clock Afternoon.

L. H. J.
Liber No. 51
March 22

The House adjourns till Monday Morning at 9 of the Clock.

Monday, March 24th 1760.

March 24
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The House met according to Adjournment: The Members were called, and all appeared as on Saturday. The Proceedings were Read.

Mr. Sulivane appeared in the House.

The House appointed Alexander Williamson, Esq; Mr. Carroll, Mr. Edward Dorsey, Mr. Murdock, Col. Fitzhugh, and Mr. Lloyd, a Committee of Elections and Privileges.

Mr. Murdock, Mr. Gassaway, Mr. Govane, Major Hynson, Col. Travers, and Mr. Sulivane, a Committee of Accounts.

Mr. Murdock, Mr. Carroll, Mr. Edward Dorsey, Mr. Tilghman, Mr. Lloyd, and Mr. Gassaway, a Committee of Grievances and Courts of Justice.

Capt. John Hammond Dorsey, Capt. Thomas Cockey Deye, Col. Fitzhugh, Capt. Dent, and Mr. Fraser, a Committee to enquire into the State and Condition of the Arms and Ammunition, and Accounts relating thereto.

Mr. Dulany, Mr. Earle, Alexander Williamson, Esq; Mr. Worthington, Mr. Hanson, Mr. Beall, and Mr. Stoddert, a Committee to inspect the Accounts and Proceedings of the Commissioners or Trustees for emitting Bills of Credit, established by Act of Assembly.

Mr. Edward Tilghman, Mr. Lloyd, Mr. Carroll, Mr. Murdock, Mr. Edward Dorsey, Mr. Govane, and Capt. King, a Committee to inspect into the several Public Offices.

Capt. Arthur Lee, a Delegate Elected by the Freeholders of Charles County, to serve in the General Assembly of this Province, appeared in the House.

Ordered, That Mr. Hanson and Mr. Stoddert do go with Capt. Lee to the Upper House, to see him Qualified. They return and acquaint Mr. Speaker, They saw him Qualified in the usual Manner.

The Gentleman took his Seat in the House.

The following Message;

By the Lower House of Assembly, March 24, 1760.

May it please your Honours,

This House hath appointed Mr. Dulany, Mr. Earle, Alexander Williamson, Esq; Mr. Worthington, Mr. Hanson, Mr. Beall, and Mr. Stoddert, a Committee from this House to inspect the Accounts and Proceedings of the Commissioners or Trustees for emitting Bills of Credit, established by Act of Assembly; and desire your

L. H. J. Honours to appoint one or more of the Members of your House,
 Liber No. 51 to join in the said Committee.
 March 24
 p. 180

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Which was sent to the Upper House by Alexander Williamson,
 Esq; and Mr. Worthington.

Samuel Chamberlaine, Esq; from the Upper House, delivers to
 Mr. Speaker, the following Message, viz.

By the Upper House of Assembly, March 24th, 1760.
 Gentlemen,

This House hath appointed Samuel Chamberlaine, Esq; to join
 the Members named by your House, in a Committee to inspect the
 Accounts and Proceedings of the Commissioners of the Paper
 Currency Office.

Signed per Order, J. Ross, Cl. Up. Ho.

The House adjourns till Half an Hour past two of the Clock.

Post-Meridiem. The House met according to Adjournment.

Mr. James John Mackall and Capt. Henry Ward appeared in the
 House.

The House adjourns till the Morrow Morning at 9 of the Clock.

March 25

Tuesday, March 25, 1760.

The House met according to Adjournment: The Members were
 called, and all appeared as Yesterday. The Proceedings were Read.

On Motion, Ordered, That Mr. Robert Lloyd be added to the
 Committee appointed to inspect the Office and Proceedings of the
 Commissioners or Trustees, for emitting Bills of Credit, established
 by Act of Assembly.

Philip Hammond, Esq; from the Committee appointed, brings in
 and delivers to Mr. Speaker, an Address to the Governor.

On Motion, Ordered, That the Governor's Speech be Read; which
 accordingly was.

On Motion, Ordered, That the Address to the Governor be Read;
 which accordingly had a first and second Reading, was Approved,
 and Ordered to be Ingrossed.

Philip Hammond, Esq; brings in and delivers to Mr. Speaker, the
 following Address, Ingrossed, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander
 in Chief in and over the Province of Maryland:

The humble Address of the House of Delegates.

May it please your Excellency,

We, his Majesty's most dutiful and loyal Subjects, the Delegates
 p. 181 of the Freemen of Maryland, in Assembly convened, return your

Excellency our Thanks for your Speech at the Opening of this Session.

With the greatest Pleasure we embrace the Opportunity you have now afforded us, of Congratulating you on the many and extraordinary Successes, which, by the Favour of Divine Providence, have attended his Majesty's Fleets and Armies, throughout the Course of the last Year, in whatever Part of the World employed; and which, it might reasonably be hoped, would have inclined his Majesty's Enemies to Peace, upon Terms consistent with the Honour and Dignity of his Crown, and securitative of the Interests of all his Subjects: But as that great and desirable End has not been obtained, and the French King, instigated by his boundless Ambition, seems determined by fresh and vigorous Efforts, to prosecute his hostile Views; we cannot but gratefully acknowledge the vigilant Care of our most gracious Sovereign, in commanding General Amherst to proceed in the Reduction of Canada; in Order, as well to render the Designs of his Enemies abortive, as to improve the great and important Advantages gained the last Campaign in North-America.

The Letters your Excellency has been pleased to lay before us, shall immediately be taken into Consideration; and we hope our Proceedings thereupon will shew, as we flatter ourselves our Proceedings always have done, that whatever Censure upon the Behaviour of this Province, the unhappy Issue of the late Sessions may have given Room for, it was not in the least owing to any Want in Us, of Loyalty, Affection, or Gratitude to our most gracious Sovereign, the best of Kings.

We observe your Excellency's pathetic and particular Admonition to us, to avoid, with Caution, the Rock on which we have heretofore split; and as you have thought proper to communicate to us the Opinion of his Majesty's Attorney-General, (tho' given, as we presume, only as private Counsel to the Lord Proprietary), relative to the two Bills offered by us to the Upper House, for raising Supplies, being desirous to pay it all due Regard, we cannot but wish that Opinion had been accompanied with the State of the Case upon which it was founded; especially as we are not at present convinced, that the Gentlemen of the Upper House could not have Assented to those Bills without a Breach of their Duty, and a Violation of our Constitution: And we hope, the Bill we shall now Frame for raising Supplies for his Majesty's Service, will be consistent with the Liberties and Privileges of British Subjects, and justifiable upon the Principles of our Constitution, and consequently demonstrate, that the Representatives of his Majesty's faithful and loyal Subjects of this Province, are animated with the same laudable Spirit, which hath, since the Beginning of this War, so remarkably excited their Fellow-Subjects to exert their most vigorous Efforts.

L. H. J.
Liber No. 51
March 25

L. H. J.
Liber No. 51
March 25

Which was Read and Assented to, and Signed, by Order of the House, by the Honourable Speaker.

Ordered, That Mr. Dulany and Mr. Murdock do acquaint his Excellency, that this House hath prepared an Address, to be presented to him, and desires to know when and where he will receive it. They return and acquaint Mr. Speaker, that the Governor signified he would receive the Address immediately in the Council Chamber.

Ordered, That Philip Hammond, Esq; with Five more, do present the Address to the Governor.

The House adjourns till Half an Hour past 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment, &c.
Mr. Gresham and Mr. Selby appeared in the House.

On Motion, Resolved, That this House will, on the Morrow Morning, immediately after the Call of the House, proceed to take into Consideration the Subject Matter contained in his Excellency the Governor's Speech.

On Motion, Leave of Absence is given to Col. Hopper until Saturday next.

On Motion, Leave given to bring in a Bill, for the Trial of all Matters of Fact in the several Counties where they have arisen or shall arise: Ordered, That Mr. Tilghman, Alexander Williamson, Esq; and Mr. Edward Dorsey, do prepare and bring in a Bill accordingly.

On Motion, Leave given to bring in a Bill, To reduce the legal Interest upon Money and Tobacco: Ordered, That Mr. Tilghman, Mr. Carroll, Philip Hammond, Esq; Mr. Lloyd, and Mr. Murdock, do prepare and bring in a Bill accordingly.

On Motion, The House appointed Mr. Lloyd, Alexander Williamson, Esq; and Mr. Hanson, a Committee to enquire what Laws will expire with the Close of this Session, and to Report the same.

The House adjourns till the Morrow Morning at 9 of the Clock.

March 26
p. 183

Wednesday, March 26, 1760.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Col. Hopper. The Proceedings of Yesterday were Read.

The Order of the Day being Read; the House took into Consideration the Subject-matter contained in his Excellency the Governor's Speech; and thereupon

Resolved, That this House will make a Provision for Levying, Cloathing, and Paying 1000 Men, to act in Conjunction with the Forces under the Command of the ensuing Campaign.

Resolved, That the Sum of 12 l. Bounty-Money be paid to each able-bodied Man that shall be enlisted by any Officer, and shall pass muster, and serve under the Command of his Excellency General Amherst, or other Person duly authorized, and 20 s. be paid to each Officer who shall enlist such able-bodied Man.

L. H. J.
Liber No. 51
March 26

Resolved, That this House will, out of the first Supplies that shall be granted for his Majesty's Service, appropriate a Sum sufficient to repay the Money advanced in the Year 1758 by General Forbes, for the Pay, Victualling and Cloathing of the Troops, formerly in the Pay of this Province, from the Time the Money granted for the Pay, Subsistence and Cloathing of the said Men, was expended, till the said Troops were taken into his Majesty's Service in the Year 1758 by General Forbes, so far as the same shall appear to this House to be just and reasonable.

And it is further Resolved, That if it shall appear that General Forbes has not paid all the Money that may be due for the Pay, Victualling and Cloathing of the said Men, from the Time the Money granted for that Purpose was expended, till the Time they were taken into his Majesty's Service, that then this House will make a Provision for what further Sum may be due for the Pay, Victualling and Cloathing of the said Men.

Resolved, That this House will, out of the first Supplies that shall be granted for his Majesty's Service, appropriate a Sum sufficient to pay the Money advanced in 1758 by General Forbes, for the Pay and Cloathing of the Troops formerly in the Pay of this Province, and by him taken into his Majesty's Service, from the Time those Troops entered into the said Service, to the End of the Campaign in 1758, so far as the same shall appear to this House to be just p. 184 and reasonable.

Resolved, That this House will make Provision for paying such of the Inhabitants of this Province as have, in Consequence of the Governor's Request, marched from any of the Counties of this Province, for the Defence of the Frontiers of this Province, since the March of General Braddock from Frederick-Town in Frederick County, or have Garrisoned the Forts of this Province since the Forces that have been raised by this Province, were taken by General Forbes from the said Forts into his Majesty's Service. And also that this House will make Provision for paying such Persons as have supplied Provisions and other Necessaries for the Use of the said Men, who have marched as aforesaid, or Garrisoned the said Forts, and for the Expence of the Carriage of such Provisions and other Necessaries.

Resolved, That such Provision be, by the Appropriation of a Sum sufficient for the said Purposes, out of the first Supplies which shall be granted for his Majesty's Service.

L. H. J.
Liber No. 51
March 26

Resolved also, That out of the said Supplies, shall be appropriated the following Sums, viz.

A Sum sufficient to reimburse such Persons as have been necessarily put to Expences on Account of Quartering his Majesty's Regular Troops in Cæcil, Kent and Anne-Arundel Counties.

A Sum not exceeding Two Hundred and Fifty Pounds, for clearing a Road from Fort Frederick to Fort Cumberland, thro' this Province, for his Majesty's Service.

Resolved, That the Sum of 60,000 l. be granted for his Majesty's Service, and the Defence and Protection of the Inhabitants of this Province.

Resolved, That the Sum of 60,000 l. be raised for his Majesty's Service, and the Defence and Protection of the Inhabitants of this Province, by an equal Assessment on all Estates Real and Personal, and Lucrative Offices and Employments.

On Motion, the Question was put, That the Sum of 60,000 l. be raised for his Majesty's Service, and the Defence and Protection of the Inhabitants of this Province, by an equal Assessment on all Estates Real and Personal, and Lucrative Offices and Employments. Carried in the Affirmative.

For the Affirmative,

Messieurs	Williamson,	Dent,	Mauldin,
	Hynson,	Stoddert,	Murdock,
	Hammond,	Lee,	Fraser,
	Gassaway,	Sulivane,	King,
	Carroll,	Cockey Deye,	Beall,
	Worthington,	Govane,	Lloyd,
	J. J. Mackall,	Owings,	Tilghman,
	Gantt,	Earle,	Chapline,
	Hanson,	Ward,	E. Dorsey. [27]

For the Negative,

Messrs.	Gresham,	Travers,	Selby.
	Fitzhugh,	Dulany,	
	Gibson,	Steuart,	[7]

On the Determination of the foregoing Question, Resolved, That the Sum of 60,000 l. be raised for his Majesty's Service, and the Defence and Protection of the Inhabitants of this Province, by an equal Assessment on all Estates Real and Personal, and Lucrative Offices and Employments.

On Motion, Ordered, That Philip Hammond, Esq; Mr. Tilghman, Mr. Carroll, Mr. Murdock, Alexander Williamson, Esq; Mr. Edward Dorsey, and Mr. Lloyd, do prepare and bring in a Bill, for granting

a Supply of 60,000 l. for his Majesty's Service, and the Defence and Protection of the Inhabitants of this Province, by an equal Assessment on all Estates Real and Personal and Lucrative Offices and Employments.

L. H. J.
Liber No. 51
March 26

His Excellency the Governor communicated to Mr. Speaker, the following Message, viz.

Gentlemen of the Lower House of Assembly,

I thank you for your Promise to take the Letters, which I laid before you at the Opening of this Session, into immediate Consideration; and as you say you are desirous to pay all due Regard to the Opinion of his Majesty's Attorney-General (given on the Supply-Bill that was about two Years ago rejected by the Upper House, and on what passed the two Houses thereupon), I flatter myself that your Proceedings at this Time, will be such as may meet with the Approbation of our most gracious Sovereign, as well as of your Constituents.

Hor^o. Sharpe.

Which was Read.

The House adjourns till Half an Hour past 2 of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

Stephen Bordley, Esq; from the Upper House, delivers to Mr. Speaker, a Petition of the Inhabitants of Baltimore County, praying that the Court-House at Joppa, &c. may be sold, and a new Court-House erected at Baltimore-Town, &c. Indorsed, "By the Upper House of Assembly, 26th March, 1760. Read and Referred to the Consideration of the Lower House of Assembly." p. 186

And, a Petition of divers and sundry Inhabitants of Baltimore County, praying that the Petition of the Inhabitants in and near Baltimore-Town, may be Rejected, Indorsed, "By the Upper House of Assembly, 26th March, 1760. Read and Referred to the Consideration of the Lower House of Assembly."

The House adjourns till the Morrow Morning at Nine of the Clock.

Thursday, March 27, 1760.

March 27

The House met according to Adjournment, &c.

On Motion, Leave is given to Col. Fitzhugh to be absent till next Tuesday to Mr. Govane and Mr. Beall until next Monday.

The Petition of the Inhabitants of Baltimore County, was Read, and the Question was put, That the Consideration thereof be Referred till the next Assembly. Resolved in the Affirmative.

L. H. J.
Liber No. 51
March 27

For the Affirmative,		
Williamson,	Hanson,	Ward,
Gresham,	Dent,	Mauldin,
Hammond,	Stoddert,	Fraser,
Gassaway,	Lee,	King,
Worthington,	Gibson,	Beall,
J. J. Mackall,	Cockey Deye,	Lloyd,
Fitzhugh,	J. H. Dorsey,	Tilghman,
Gantt,	Earle,	Chapline. [24]

For the Negative,

Hynson,	Govane,	Steuart,
Carroll,	Owings,	Selby,
Sulivane,	Murdock,	E. Dorsey.
Travers,	Dulany,	[11]

Ordered, That the Petition of the Inhabitants of Baltimore County be Referred to the Consideration of the next Assembly.

The House adjourns till Half an Hour past two of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

Capt. John Hammond Dorsey hath Leave of Absence.

The House adjourns till the Morrow Morning at Nine of the Clock.

March 28

Friday, March 28, 1760.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Mr. Beall. The Proceedings were Read.

Mr. Baker appeared in the House.

p. 187 Mr. Tilghman brings in and delivers to Mr. Speaker, a Bill, entituled, An Act for granting a Supply of Sixty thousand Pounds for his Majesty's Service, and for defraying the Expences heretofore incurred for the Defence and Security of the Frontier Inhabitants of this Province, and for other Purposes therein mentioned.

Ordered, That the said Bill be Read the first Time, which was proceeded on.

The House adjourns till Half an Hour past two of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment: The Members were called, and all appeared as in the Morning, except Mr. Govane.

The Bill, entituled, An Act for granting a Supply of Sixty thousand pounds for his Majesty's Service, &c. was Read the first Time, and Ordered to lie on the Table.

On Motion, the Question was put, That the Bill, entituled, An Act for granting a Supply of 60,000 l. for his Majesty's Service, &c. be now Read the second Time. Resolved in the Negative.

L. H. J.
Liber No. 51
March 28

For the Affirmative,

Gresham,	Fitzhugh,	Travers,
Worthington,	Gantt,	Dulany,
J. J. Mackall,	Gibson,	Steuart.

[9]

For the Negative,

Williamson,	Lee,	Fraser,
Hynson,	Sulivane,	King,
Hammond,	Cockey Deye,	Lloyd,
Gassaway,	Owings,	Tilghman,
Carroll,	Earle,	Selby,
Hanson,	Baker,	Chapline,
Dent,	Ward,	E. Dorsey.
Stoddert,	Mauldin,	

[23]

Alexander Williamson, Esq; brings in and delivers to Mr. Speaker, a Bill, entituled, An Act for the Trial of all Matters of Fact in the several Counties where they have arisen or shall arise; which was Read the first Time, and Ordered to lie on the Table.

Mr. Murdock brings in and deliyers to Mr. Speaker, a Bill, entituled, An Act for reducing the Interest upon Tobacco and Money; which was Read the first and second Time by an especial Order, and will pass.

The House adjourns till the Morrow Morning at Nine of the Clock.

Saturday, March 29th 1760.

March 29
p. 188

The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Col. Fitzhugh, and Mr. John Hammond Dorsey. The Proceedings were Read.

The House proceeded in a second Reading of the Bill, entituled, An Act for granting a Supply of 60,000 l. in his Majesty's Service, &c.

The House adjourns till two of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

On Progression, in Reading the second Time the Bill, entituled, An Act for granting a Supply of 60,000 l. for his Majesty's Service, &c. the Question was put, That the Overplus arising by the Bill, entituled, An Act in granting a Supply of 60,000 l. for his Majesty's Service, &c. be applied as the General Assembly of this Province shall direct. Resolved in the Affirmative.

L. H. J.
Liber No. 51
March 29

For the Affirmative,		
Williamson,	Lee,	King,
Hynson,	Gibson,	Dulany,
Gresham,	Sulivane,	Steuart,
Carroll,	Travers,	Lloyd,
Worthington,	Owings,	Selby,
J. J. Mackall,	Baker,	Chapline,
Gantt,	Mauldin,	E. Dorsey.
Hanson,	Fraser,	

[23]

For the Negative,

Hammond,	Stoddert,	Ward,
Gassaway,	Cockey Deye,	Murdock,
Dent,	Earle,	Tilghman.

[9]

The Bill, entitled, An Act for granting a Supply of 60,000 l. for his Majesty's Service, and for defraying the Expences heretofore incurred for the Defence and Security of the Frontier Inhabitants of this Province, and for other Purposes therein mentioned, was Read the second Time, and the Question was put, That the said Bills do pass. Resolved in the Affirmative.

For the Affirmative,

Williamson,	Dent,	Mauldin,
Hynson,	Stoddert,	Murdock,
Hammond,	Lee,	Fraser,
Gassaway,	Sulivane,	King,
Carroll,	Cockey Deye,	Lloyd,
Worthington,	Owings,	Tilghman,
J. J. Mackall,	Earle,	Chapline,
Gantt,	Baker,	E. Dorsey.
Hanson,	Ward,	

[26]

For the Negative,

Gresham,	Travers,	Steuart,
Gibson,	Dulany,	Selby.

[6]

p. 189 Upon the Resolution of the foregoing Question, the said Bill was accordingly Indorsed, "Read the second Time, and will pass."

The House adjourns till Monday Morning at Nine of the Clock.

March 31

Monday, March 31st 1760.

The House met according to Adjournment: The Members were called, and all appeared as on Saturday, except Mr. Gresham. The Proceedings were Read.

Mr. Charles Goldsborough and Mr. Zadock Purnell appeared in the House.

L. H. J.
Liber No. 51
March 31

On Motion, Leave given, to bring in a Bill for the Support of an Agent in Great-Britain, to transact the Public Affairs of this Province;

Ordered, That Mr. Tilghman, Mr. Edward Dorsey, and Mr. Carroll, do prepare and bring in a Bill accordingly.

The Bill, entituled, An Act for granting a Supply of Sixty thousand pounds for his Majesty's Service, &c. was sent to the Upper House by Mr. Tilghman, and Sixteen more.

Ordered, That Capt. Henry Ward be added to the Committee appointed to inspect the Arms and Ammunition, and Accounts relating thereto.

Mr. Lloyd brings in and delivers to Mr. Speaker, the following Report, viz.

The Committee appointed by the Honourable the Lower House of Assembly to enquire into the State of the several Temporary Laws of this Province, do make the following Report, to wit,

That the Act for ascertaining the Allowance of Petit Jurors attending the Provincial Courts, to limit Costs with respect to Witnesses, and for settling their Allowance, did expire at the End of October Session, 1758.

That the Act, entituled, An Act to impower the Justices of the several County Courts to make Provision for the late Inhabitants of Nova-Scotia, and for regulating their Conduct, did expire the 10th of May, 1758.

That the Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green, of the City of Annapolis, Printer, did expire on the 20th Day of December, 1758.

And your Committee take Leave to acquaint the Honourable p. 190 House, that the Act for preventing Indians disaffected to the British Interest in America, from coming into this Province as Spies, or on any other evil Design passed in May, 1756, will expire at the End of this Session. And should this present Assembly continue after the Eighth Day of April next, the following Laws will expire at the Close of the Session, to wit,

The Act for the Advancement of Justice.

The Act for Relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, and for continuing the Supplementary Act thereto.

The Act for Remedying some Evils relating to Servants.

The Supplementary Act to the Act, entituled, An Act for ascertaining the Height of Fences, to prevent the Evils occasioned by

L. H. J.
Liber No. 51
March 31

the Multitude of Horses, and restraining Horse-Rangers within this Province; and to redress the great Evil accruing to this Province, by the Multiplicity of useless Horses, Mares, and Colts, that run in the Woods.

The Act for the Gauge of Barrels of Pork, Beef, Pitch, Tar, Turpentine, and Tare of Barrels for Flour or Bread.

The Supplementary Act to the Act, entituled, An Act for the Relief of Creditors in England against Bankrupts, who have imported Goods into this Province not accounted for.

The Act to prevent Masters of Ships and Vessels from clandestinely carrying Servants and Slaves, or Persons indebted, out of this Province.

The Act to prevent Persons from secreting Boats, Flats, and other Vessels, drove by Stress of Weather or otherwise, from Landings or Moorings.

The Act for the speedy Recovery of small Debts out of Court, before one Justice of the Peace.

And the Act directing the Manner of punishing Fornication and Adultery before a single Justice of the Peace out of Court.

All which is humbly submitted to the Consideration of the Honourable House.

Signed p Order, Basil Dorsey, jun^r Clerk.

Which was Read, and Ordered to lie on the Table.

A Petition of Thomas Bacon, Clerk, was preferred to this House, Read, and Ordered to lie on the Table.

The House adjourns till Half an Hour past two of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

^{p. 191} Mr. Beall, Mr. Govane, Mr. Benjamin Mackall, and Mr. Greenfield, appeared in the House.

On Motion, Leave of Absence is given to Mr. Worthington, Mr. Gibson, and Mr. James John Mackall, they having represented that urgent Business required their Non-Attendance till next Thursday.

The Bill, entituled, An Act for Trial of all Matters of Fact in the several Counties where they have arisen or shall arise, was Read the second Time, and, on Motion, the said Bill was committed for Amendments.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, the following Petitions, viz.

A Petition of sundry the Inhabitants in and about George-Town in Frederick County.

A Petition of the Vestrymen of Port-Tobacco Parish in Charles County.

A Petition of the Minister, Vestry, and Church-Wardens of All Saints Parish in Frederick County.

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March 31

A Petition of the Justices of Peace, and Grand-Jurors, of Cæcil County.

A Petition of the Inhabitants of Prince-George's Parish in Frederick County.

A Petition of the Subscribers, Inhabitants of Chester-Town in Kent County.

Severally Indorsed, "By the Upper House of Assembly, 31 March, 1760. Read and Referred to the Consideration of the Lower House of Assembly."

Which Petitions were severally Read here, and Ordered to lie on the Table.

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker, the Bill, entituled, An Act for granting a Supply of Sixty Thousand Pounds for his Majesty's Service, &c. Indorsed "By the Upper House of Assembly, in March, 1760. Read the first Time, and will not pass.

Signed p Order, J. Ross, Cl. Up. Ho.

On Motion, Leave given to augment the Salary of the Inspector at Plymouth Warehouse in Dorchester County, and the Salary of the Inspector at Snow-Hill Warehouse in Worcester County.

Ordered, That Mr. Goldsborough, Mr. Sulivane, and Mr. Selby, do prepare and bring in a Bill accordingly.

On Reading the second Time the Report brought in by Mr. Lloyd, p. 192 relating to the Revising of the Laws, the House concurs therewith, except that Part which mentions the several Laws that will expire, should this present Assembly continue till after the 8th Day of April next. And Ordered, That the other Laws therein mentioned, except that relative to the French Neutrals, be Revived and Continued. And that Mr. Tilghman, Alexander Williamson, Esq; Mr. Lloyd, Mr. Gassaway, and Mr. Hanson, do prepare and bring in Bills to continue the same.

The House adjourns till the Morrow Morning at Nine of the Clock.

Tuesday, April 1, 1760.

April 1

The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Mr. James John Mackall and Mr. Gibson. The Proceedings of Yesterday were Read.

Mr. Dorsey brings in and delivers to Mr. Speaker, a Bill, entituled, An Act to raise a Fund for the Support of an Agent in Great-Britain,

L.H.J. for the Service of this Province; which was Read the first and
 Liber No. 5¹ second Time by an especial Order, and the Question was put, That
 April 1 the said Bill do pass. Resolved in the Affirmative.

For the Affirmative,

Greenfield,	Lee,	Fraser,
Williamson,	Sulivane,	King,
Hynson,	C. Goldsborough,	Beall,
Hammond,	Travers,	Dulany,
Gassaway,	Cockey Deye,	Lloyd,
Carroll,	Govane,	Tilghman,
Worthington,	Owings,	Purnell,
B. Mackall,	Earle,	Selby,
Gantt,	Baker,	Chapline,
Hanson,	Ward,	E. Dorsey.
Dent,	Mauldin,	
Stoddert,	Murdock,	

[34]

For the Negative,

Steuart.

[1]

On Resolution of the foregoing Question, the said Bill was Indorsed, "Read the first and second Time by an especial Order, and will pass."

Mr. Lloyd brings in and delivers to Mr. Speaker,

A Bill, entituled, An Act continuing an Act, entituled, An Act to prevent Persons from secreting Boats, Flats, and other Vessels, drove by Stress of Weather, or otherwise, from Landings and Moorings.

p. 193 A Bill, entituled, An Act continuing an Act, entituled, An Act for the speedy Recovery of small Debts out of Court, before one Justice of the Peace.

A Bill, entituled, An Act continuing an Act, entituled, An Act to prevent Masters of Ships and Vessels from clandestinely carrying Servants and Slaves, or Persons indebted, out of this Province.

A Bill, entituled, An Act continuing an Act, entituled, A Supplementary Act to the Act, entituled, An Act for the Relief of Creditors in England against Bankrupts, who have imported Goods into this Province not accounted for.

Bill, entituled, An Act continuing an Act, entituled, An Act for the Gauge of Barrels, for Pork, Beef, Pitch, Tar, Turpentine, and Tare of Barrels for Flour or Bread.

A Bill, entituled, An Act continuing an Act, entituled, A Supplementary Act to the Act ascertaining the Height of Fences, to prevent the Evil occasioned by the Multitude of Horses, and restraining Horse-Rangers within this Province; and to redress the great Evil

accruing to this Province, by the Multiplicity of useless Horses, Mares and Colts, that run in the Woods.

A Bill, entituled, An Act continuing an Act, entituled, An Act to remedy some Evils relating to Servants.

A Bill, entituled, An Act continuing an Act, entituled, An Act for Relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, and for continuing the Supplementary Act thereto.

A Bill, entituled, An Act continuing an Act, entituled, An Act for the Advancement of Justice.

A Bill, entituled, An Act continuing an Act, entituled, An Act for preventing Indians disaffected to the British Interest in America, from coming into this Province as Spies, or on any other evil Design.

Which Bills were severally Read the first and second Time by an especial Order, and will pass.

Capt. Gassaway brings in and delivers to Mr. Speaker, a Bill, entituled, An Act continuing an Act, entituled, An Act directing the Manner of punishing Fornication and Adultery before a single Justice of the Peace, out of Court; which was Read the first and second Time by an especial Order, and will pass.

The Petition of the Inhabitants of Prince-George's Parish in Frederick County;

The Petition of the Justices and Grand-Jurors of Cæcil County;

The Petition of sundry the Inhabitants in and about George-Town, in Frederick and Prince-George's County;

The Petition of the Subscribers, Inhabitants of Chester-Town in Kent County;

The Petition of Thomas Bacon, Clerk;

The Petition of the Vestry and Church-Wardens of All-Saints Parish in Frederick County; And,

The Petition of Robert Adair, &c. of Baltimore County;

Were severally Read, and Referred to the Consideration of next Assembly.

On Reading the second Time the Petition of the Vestrymen of Port-Tobacco Parish in Charles County, the same was Granted, and Leave given to bring in a Bill according to the Petitioners Prayer.

Mr. Selby brings in and delivers to Mr. Speaker, a Bill, entituled, An Act for Enlarging the Salary of the Inspector at Snow-Hill Warehouse in Worcester County, and the Salary of the Inspector at Plymouth Warehouse in Dorchester County; which was Read the first and second Time by an especial Order, and will pass.

Ordered, That the Committee of Accounts do close the Journal of Accounts on the Morrow at Six of the Clock Afternoon.

The House adjourns till Half an Hour past Two of the Clock.

L. H. J.
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April 1

L. H. J.
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April 1

Post-Meridiem. The House met according to Adjournment, &c. Benedict Calvert, Esq; from the Upper House delivers to Mr. Speaker, a Bill, entituled, An Act for Naturalization; Indorsed, "By the Upper House of Assembly, 1st April, 1760. Read the first Time, and Ordered to lie on the Table.

Signed p Order, J. Ross, Cl. Up. Ho."

And thus, "By the Upper House of Assembly, 1 April, 1760. Read the second Time by an especial Order, and will pass.

Signed p Order, J. Ross, Cl. Up. Ho."

Which Bill was here Read the first Time, and Ordered to lie on the Table.

Ordered, That Mr. Murdock and Dr. Steuart do go to the Upper House with the several Bills that have had a first and second Reading in (and have passed) this House.

The House adjourns till the Morrow Morning at 9 of the Clock.

April 2

Wednesday, April 2, 1760.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Mr. Worthington. The Proceedings were Read.

Mr. Crabb appeared in the House.

On Motion, that Leave be given to bring in a Bill to continue the several Taxes and Duties mentioned in the Act for granting a Supply of Forty thousand Pounds &c. and the several Acts therein mentioned, and for suspending the Time of laying an additional Tax on Land Ordered, That the same be Referred for Consideration, until a Report be made to this House of the present State of the Funds raised by the several Acts for his Majesty's Service.

On Motion, Ordered, That Mr. Dulany, Mr. Earle, Alexander Williamson, Esq; Mr. Hanson, Mr. Beall, Mr. Stoddert, and Mr. Lloyd, be a Committee from this House, to inspect the present State of the Funds raised by the several Acts of Assembly for his Majesty's Service, and Report forthwith the Amount of the several Sums paid into the said Office, in Pursuance of the said Acts.

Mr. Hanson brings in and delivers to Mr. Speaker, a Bill, entituled, An Act to aid some Proceedings of the Vestry of Port-Tobacco Parish in Charles County, and to impower the said Parish to elect Vestrymen and Church-wardens; which Bill was Read the first and second Time by an especial Order, and will pass; and was sent to the Upper House by Mr. Hanson and Mr. Stoddert.

Mr. Earle brings in and delivers to Mr. Speaker, a Bill, entituled, An Act for the speedy and effectual Publication of the Laws of this

Province, and for the Encouragement of Jonas Green, of the City
of Annapolis, Printer; which was Read the first Time, and Ordered
to lie on the Table.

L. H. J.
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April 2

The House adjourns till Half an Hour past Two of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

Stephen Bordley, Esq; from the Upper House, delivers to Mr. Speaker, a Petition and Representation of the Subscribers, sufferers by Tobacco burnt in Llewelin's Warehouse, in St. Mary's County; Indorsed, "By the Upper House of Assembly, 2d April, 1760. Read and Referred to the Consideration of the Lower House of Assembly."

Which was Read, and Ordered to lie on the Table.

The House adjourns till the Morrow Morning at 9 of the Clock.

Thursday, April 3^d 1760.

April 3

The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Philip Hammond, Esq; and Mr. Mauldin. The Proceedings were Read.

Mr. Dulany, from the Committee appointed, brings in and de- p. 196
livers to Mr. Speaker, the following Report, viz.

By the Committee appointed by the Honourable the Lower House of Assembly to inspect the present State of the Funds raised by the several Acts of Assembly for his Majesty's Service, and Report forthwith the Amount of the several Sums paid into the said Office in Pursuance of the said Acts.

April 3d, 1760.

Your Committee having examined the Account raised by the Commissioners or Trustees under the Act passed in July Session 1754, for granting six thousand pounds for his Majesty's Service, do find, that there has been paid into the Office the Sum of four thousand and seventy-four Pounds thirteen shillings and One Penny farthing and that the Ballances due from several of the Sheriffs that have collected the Ordinary Licences, Tax upon Wheel Carriages, and Billiard Tables, amount to £1469 13 1 which Sum, should it be immediately paid into the Office, would leave a Ballance still due towards replacing the £6000 of £455 13 9 $\frac{3}{4}$ and as great Part of the Arrears have been a long Time due, and as it has been heretofore Reported, from Persons in bad Circumstances, your Committee conceive that it will require more than a Year's farther Collection of the Duties and Taxes under the Act aforesaid, to compleat the replacing said £6000.

And your Committee, on Examination of the Book kept by the said Commissioners for the Forty Thousand Pounds Grant, do find, that they have paid out to the Amount of 37827 l. 10 s. and that

L. H. J. there has been paid into the Office, by the several Ways and Means
 Liber No. 51
 April 3 directed by the said Act, closing the Accounts to the 29th of Sep-
 tember, 1759, as follows, viz.^t

Duty on Writs and Stamps,	1757,	£. 522 18 2 $\frac{3}{4}$			
	1758,	463 12 1 $\frac{3}{4}$			
	1759,	433 11 3 $\frac{1}{2}$			
		£. 1420 1 8			
Excise on Liquors,	1757,	1178 18 3			
	1758,	2312 4 9			
	1759,	2112 8 2			
		5603 11 2			
Tax on Batchelors,	1757,	367 16 3			
	1758,	361 5 3			
	1759,	495 10 6			
		1224 12 0			
p. 197 Ditto on Billiard Tables,	1757,	29 5 0			
	1758,	46 16 0			
	1759,	46 16 0			
		122 17 0			
Land-Tax,	1757,	1209 14 11			
	1758,	1796 3 1			
	1759,	1429 7 1 $\frac{1}{2}$			
		4435 5 1 $\frac{1}{2}$			
Duty on Horses,	1757,	1 19 0			
	1758,	25 18 0			
	1759,	48 14 0			
		76 11 0			
Ditto on Pitch,	1757,	0 0 0			
	1758,	0 1 5 $\frac{1}{2}$			
	1759,	1 6 4 $\frac{3}{4}$			
		1 7 10 $\frac{1}{4}$			
Ditto on Turpentine,	1757,	0 0 0			
	1758,	10 12 1 $\frac{1}{4}$			
	1759,	2 3 11			
		12 16 0 $\frac{1}{4}$			
Ditto on Tar,	1757,	0 0 0			
	1758,	11 5 4 $\frac{1}{4}$			
	1759,	4 2 10 $\frac{1}{4}$			
		15 8 3			
Ditto on Negroes,	1757,	0 0 0			
	1758,	7 16 0			
	1759,	243 0 4 $\frac{1}{2}$			
		250 16 4 $\frac{1}{2}$			
		£. 13163 6 5 $\frac{1}{2}$			

And your Committee take Leave to inform the Honourable House, that the foregoing is the best and clearest State of the several Funds for sinking and replacing the Forty Thousand Pounds they can at present make, and is the Whole that appears to have been received in to the Date aforesaid; and as the Books are not posted and closed, they cannot now Report to a Certainty the Sum that any of the Funds will annually produce, as the several Collectors of the Taxes and Duties do not always regularly pay in the Money they do or ought to receive; it appears by the Books that some of them are the last half Year, others an whole Year, and some a longer Time, since they have accounted or paid in, and until they do so, they cannot be debited on the Books with any certain Sum arising from the Duties; therefore your Committee can only Report what has been paid in from each respective Fund for Three Years past.

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All which is submitted to the Consideration of the Honourable House.

Walter Dulany,
Michael Earle,
Alexander Williamson,
John Hanson, junior,
Josias Beall, junior,
John Trueman Stoddert,
Robert Lloyd.

On Reading the said Report a first and second Time, the House concurs therewith.

On Motion, Leave given to bring in a Bill, To continue the several Taxes and Duties mentioned in the Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, &c. and the several Acts therein mentioned, and for suspending the Time of laying an additional Tax on Land: Ordered, That Mr. Goldsborough, Mr. Carroll, Mr. Dorsey, Col. Tilghman, and Mr. Murdock, do prepare and bring in a Bill accordingly.

The Bill, entituled, An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green, of the City of Annapolis, Printer, was Read the second Time, and will pass; and was sent to the Upper House by Mr. Dulany and Mr. Carroll.

On Reading the second Time, the Petition of the Subscribers, Sufferers by the Loss of Tobacco burnt in Llewellyn's Warehouse, The Question was put, and Resolved, That the Sum of 1 l. 17 s. 6 d. Current Money p Hundred, be allowed for Crop Tobacco, with Four per Cent for the Cask, and 1 l. 12 s. 6 d. Current Money per Hundred for the Transfer of Tobacco, burnt in Llewellyn's Warehouse, on the Eleventh Day of June, 1759.

L. H. J.
Liber No. 51
April 3

Ordered, That the Committee of Accounts do make an Allowance on the Journal of Accounts to the several Sufferers by the Loss aforesaid, according to the foregoing Resolve.

The House adjourns till Half an Hour past Two of the Clock Afternoon.

p. 199 Post-Meridiem. Thet House met according to Adjournment, &c.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker, two Petitions of Mary Stansbury, Executrix of Tobias Stansbury, late of Baltimore County, deceased; Indorsed, "By the Upper House of Assembly, 3d April, 1760. Read and Referred to the Consideration of the Lower House of Assembly."

Which Petitions were severally Read the first and second Time, and were Referred to the Consideration of the next Assembly.

Stephen Bordley, Esq; from the Upper House, delivers to Mr. Speaker the Bill, entituled, An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green, of the City of Annapolis, Printer; Indorsed, "By the Upper House of Assembly, 3d April, 1760. Read the first Time, and Ordered to lie on the Table."

And thus, "By the Upper House of Assembly, 3d April, 1760. Read the second Time by especial Order, and will pass.

Signed p Order, J. Ross, Cl. Up. Ho."

Which Bill was here Read, and passed for Ingrossing.

The House adjourns till the Morrow Morning at nine of the Clock.

April 4

Friday, April 4, 1760.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read

Mr. Charles Goldsborough, from the Committee appointed, brings in and delivers to Mr. Speaker a Bill, entituled, An Act to continue the several Taxes and Duties mentioned in the Act for granting a Supply of 40,000 l. for his Majesty's Service, and the several Acts therein mentioned and for suspending the Time appointed by this said Act for laying an additional Tax on Lands; which was Read the first Time, and Ordered to lie on the Table.

On Reading the second Time, the Bill entituled, An Act for Naturalization, it was moved that the following Amendment be proposed to the Upper House, to be made to the said Bill, viz.

Provided also, and be it likewise Enacted by the Authority, Advice, and Consent aforesaid, That nothing herein contained shall be construed, deemed, or taken, to secure or make valid the Estate, Right or Title of any Alien or Aliens, being a Papist or Papists, or reputed to be, or of any Romish or Jesuitical Priest or Priests, or Persons

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reputed so to be, of, in or to, any Lands, Tenements, or Hereditaments, that he, she or they, now is, are or shall be, in Possession of, or do or hereafter shall claim any Estate in, or Right or Title to; but that the Estate, Right or Title of every such Alien or Aliens, being a Papist or Papists, or reputed so to be, or Romish or Jesuitical Priest or Priests, or Persons reputed so to be, shall remain and continue in the same Plight, State and Condition, to all Intents and Purposes, which it would have been had this Act never been made; Thing herein before contained to the contrary notwithstanding.

L. H. J.
Liber No. 51
April 4

And the Question was put, That the following Question be now put, viz. Whether the said Amendment shall be proposed to be made to the said Bill, or Not? Resolved in the Negative.

It was moved that the following Amendment be proposed to be made to the said Bill, viz.

Provided also, and be it likewise Enacted by the Authority, Advice, and Consent aforesaid, That nothing herein contained shall be construed, deemed, or taken, to secure or make valid the Estate, Right or Title of any Person or Persons, being a Papist or Papists, or reputed so to be, or of any Romish or Jesuitical Priest or Priests, or Persons reputed so to be, of, in or to, any Lands, Tenements, or Hereditaments, that he, she or they, now is, are or shall be, in Possession of, or do or hereafter shall claim any Estate in, or Right or Title to; but that the Estate, Right or Title of every such Person or Persons, being a Papist or Papists or reputed so to be, or Romish or Jesuitical Priest or Priests, or Persons reputed so to be, shall remain and continue in the same Plight, State and Condition, to all Intents and Purposes, which it would have been had this Act never been made; any Thing herein before contained to the contrary notwithstanding.

And the Question was put, That the said Amendment be proposed to be made to the said Bill. Resolved in the Affirmative.

For the Affirmative,

Greenfield,	Stoddert,	Fraser,
Williamson,	Lee,	King,
Hynson,	Cockey Deye,	Beall,
Gassaway,	Govane,	Lloyd,
Carroll,	Owings,	Tilghman,
B. Mackall,	Earle,	Purnell,
Gantt,	Baker,	Selby.
Hanson,	Ward,	
Dent,	Murdock,	

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For the Negative,

Sullivane,	Steuart,	E. Dorsey.
Goldsborough,	Crabb,	
Travers,	Chapline,	

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L. H. J.
Liber No. 51
April 4

On Motion, Mr. Murdock hath Leave of the House to be absent on his urgent Affairs.

The House adjourns till Half an Hour past Two of the Clock.

Post-Meridiem. The House met according to Adjournment: All the Members appeared as before Noon, except Mr. Murdock.

The Bill, entituled, An Act to continue the several Taxes and Duties mentioned in the Act for granting a Supply of Forty thousand Pounds for his Majesty's Service, and the several Acts therein mentioned, and for suspending the Time appointed by the said Act for laying an additional Tax on Lands, was Read the second Time by an especial Order, and will pass.

On Motion, the Question was put, That the Bill, entituled, An Act for Naturalization, prepared in the Upper House, and sent here for a Concurrence, be now entered on the Journal of this House, and printed with the Votes and Proceedings of this Session, with the several Amendments that shall be proposed to be made thereto by this House. Resolved in the Affirmative [*see pp. 309–313*].

Mr. Earle brings in and delivers to Mr. Speaker the following Report, viz.^t

At a Committee of both Houses of Assembly, appointed to Inspect the Office and Proceedings of the Commissioners for Emitting Bills of Credit, established by Act of Assembly. April 4, 1760.

Were Present,

The Honourable Samuel Chamberlaine, Esq; of the Upper House,
Chairman.

Messieurs Walter Dulany,
Michael Earle,
Alexander Williamson,
Robert Lloyd,
John Hanson, junior,
Josias Beall, junior, and
John Trueman Stoddert,

} of the Lower House.

Who agree to make the following Report.

Your Committee think it necessary at this Time to Report to your Honours, That as soon as it was convenient, after their Appointment, they attended in the Paper Currency Office, in order to proceed to their Duty, when they were informed by Mr. Richard Dorsey, Clerk of that Office, that by Means of his long Indisposition, the Books and Proceedings of the said Office were not in a proper State and Condition for their immediate Inspection, but that he would use his Endeavours in a few Days to have them so; in a short Time after which, he was, as your Committee are informed, again taken so ill as to be incapable of attending his Duty, and has been ever since confined to his House in the Country, by which Means, and by

reason of the said Books and Proceedings not being yet in Order for Inspection, your Committee have not found it in their Power to enquire particularly into the State and Condition of the said Office, or into the Conduct and Behaviour of the Commissioners or Trustees thereof; but think it their Duty to observe, that the Books and Accounts relative thereto, seem to be kept nearly in the same irregular Manner as has been repeatedly Reported to your Honours by former Committees, which must ever, in their Opinion, while they remain so, render the Enquiries of your Committees intricate, difficult, and tedious, and perhaps may, in the End, frustrate the good Intention of the Legislature in directing such Enquiry.

All which is submitted to the Consideration of both Houses of Assembly.

Samuel Chamberlaine,
Michael Earle,
Alexander Williamson,
Robert Lloyd,
John Hanson, junior,
Josias Beall, junior,
John Trueman Stoddert.

Which was Read the first and second Time, and the House concurs therewith.

The House adjourns till the Morrow Morning at 9 of the Clock.

Saturday, April 5, 1760.

April 5

The House met according to Adjournment: The Members were called, and all appeared as Yesterday Afternoon. The Proceedings were Read.

Col. Cresap appeared in the House.

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The Bill, entituled, An Act to continue the several Taxes and Duties mentioned in the Act for granting a Supply of Forty thousand Pounds for his Majesty's Service, &c. was sent to the Upper House by Mr. Goldsborough and Mr. Earle.

The House adjourns till Half an Hour past Two of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker,

The Bill, entituled, An Act continuing an Act, entituled, An Act to prevent Persons from secreting Boats, Flats, and other Vessels, drove by Stress of Weather, or otherwise, from Landings or Moorings.

The Bill, entituled, An Act continuing an Act, entituled, An Act to prevent Masters of Ships and Vessels from clandestinely carrying Servants and Slaves, or Persons indebted, out of this Province.

L. H. J.
Liber No. 51
April 4

L. H. J.
Liber No. 51
April 5

The Bill, entituled, An Act continuing an Act, entituled, A Supplementary Act to the Act, entituled, An Act for the Relief of Creditors in England against Bankrupts, who have imported Goods into this Province not accounted for.

The Bill, entituled, An Act continuing an Act, entituled, An Act for the Advancement of Justice.

The Bill, entituled, An Act continuing an Act, entituled, An Act for preventing Indians disaffected to the British Interest in America, from coming into this Province as Spies, or on any other evil Design.

The Bill, entituled, An Act to aid some Proceedings of the Vestry of Port-Tobacco Parish in Charles County, and to impower the said Parish to elect Vestrymen and Church-wardens.

The Bill, entituled, An Act to increase the Salaries of the Inspectors of Snow-Hill Warehouse in Worcester County, and of Plymouth Warehouse in Dorchester County.

Severally Indorsed, "By the Upper House of Assembly, April 1,st 1760. Read the first Time, and Ordered to lie on the Table."

And thus, "By the Upper House of Assembly, April 5,th 1760. Read the second Time, and will pass.

Signed p Order, J. Ross, Cl. Up. Ho."

Which Bills were severally Read, and passed for Ingrossing.

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Mr. Govane, from the Committee of Accounts, brings in and delivers to Mr. Speaker, the Journal of Accounts.

The House adjourns till Monday Morning at nine of the Clock.

April 7

Monday, April 7, 1760.

The House met according to Adjournment. The Members were called, and all appeared as on Saturday. The Proceedings were Read.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker, a Petition of the Planters and Merchants, in Behalf of themselves and others; Indorsed, "By the Upper House of Assembly, April 5, 1760. Read and Referred to the Consideration of the Lower House of Assembly."

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker, the Bill, entituled, An Act to raise a Fund for the Support of an Agent in Great-Britain, for the Service of this Province; Indorsed, "By the Upper House of Assembly, April 1, 1760. Read the first Time, and Ordered to lie on the Table."

And thus, "By the Upper House of Assembly, April, 1760. Read the second Time, and will not pass.

Signed p Order, J. Ross, Cl. Up. Ho.

And the Bill, entituled, An Act to continue the several Taxes and Duties mentioned in the Act for granting a Supply of Forty thou-

sand pounds for his Majesty's Service, &c. Indorsed, "By the Upper House of Assembly, April 5th 1760. Read the first Time, and Ordered to lie on the Table." L. H. J.
Liber No. 51
April 7

And thus, "By the Upper House of Assembly, April 7, 1760. Read the second Time, and will not pass.

Signed p Order, J. Ross, Cl. Up. Ho."

And the following Message, viz.^t

By the Upper House of Assembly, April 7, 1760.

Gentlemen,

We are equally desirous with yourselves to afford all reasonable Relief to the People of this Province in general, and the Land-Holders in particular, upon whom a very heavy Tax, by the great Deficiency of the Funds for sinking the 40,000 l. must in a short Time be laid, unless by some Bill to be passed this Session, including a larger Number of Contributors, that Inconvenience shall be obviated; but at the same Time that we are strongly inclined to relieve Individuals, we think it incumbent upon us to pay all the Regard to Public Faith, and consequently to Public Credit, which these very important Points deserve, and our present Circumstances will p. 205 allow.

In these Respects, as well as in some other, the Bill herewith returned with a Negative appears to us to be defective; but we are not without Hope of receiving another upon a Plan more consistent, and less liable to Objections, and have therefore taken the Liberty of recommending to your Consideration a Tax long experienced in this Province, and more equal, and less grievous to the People than a Land-Tax, together with the Appropriation, and Continuance of the Funds, mentioned in the Bill to have answered, or almost answered, the Ends for which they were created: The annual Produce whereof in future may be nearly estimated on a Review of the annual Income they have hitherto produced; and as we are informed that the Deficiency, which by the Law as it now stands, is to be made good by a Land-Tax only, has been calculated at about 26,000 l. we conceive this Sum may be discharged by these Means in Two Years from this Time, without any considerable Inconvenience, or just Cause of Complaint. The Public Faith and Credit must be preserved at all Events, and should you therefore not be inclined to fall upon some Method, for the Ease of the Landed Interest, less exceptionable than that proposed by the Bill we have rejected, rather than expose these to any Hazard, we shall be obliged to suffer the unequal Burthen on Land, imposed by the original Bill, to take Place.

Signed p Order, J. Ross, Cl. Up. Ho.

The House adjourns till the Morrow Morning at nine of the Clock.

L. H. J.
Liber No. 51
April 8

Tuesday, April 8, 1760.

The House met according to Adjournment, &c.

An Ingrossed Bill, entituled, An Act continuing an Act, entituled, An Act to prevent Persons from secreting Boats, Flats, and other Vessels, drove by Stress of Weather or otherwise, from Landings or Moorings.

An Ingrossed Bill, entituled, An Act continuing an Act to prevent Masters of Ships and Vessels from clandestinely carrying Servants and Slaves, or Persons indebted, out of this Province.

An Ingrossed Bill, entituled, An Act continuing an Act, entituled, A Supplementary Act to the Act, entituled, An Act for the Relief of Creditors in England against Bankrupts, who have imported Goods into this Province not accounted for.

^{p. 206} An Ingrossed Bill, entituled, An Act continuing an Act, entituled, An Act for the Advancement of Justice.

An Ingrossed Bill, entituled, An Act continuing an Act, entituled, An Act for preventing Indians disaffected to the British Interest in America, from coming into this Province as Spies, or on any other Evil Design.

An Ingrossed Bill, entituled, An Act to aid some Proceedings of the Vestry of Port-Tobacco Parish in Charles County, and to empower the said Parish to elect Vestrymen and Church-wardens.

An Ingrossed Bill, entituled, An Act to increase the Salaries of the Inspectors of Snow-Hill Warehouse in Worcester County, and of Plymouth Warehouse in Dorchester County.

And, an Ingrossed Bill, entituled, An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green, of the City of Annapolis, Printer.

Were severally Read and Assented to, and sent to the Upper House, with the Paper Bills thereof, by Alexander Williamson, Esq; and Mr. Gantt.

The House adjourns till Half an Hour past Two of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

Mr. Carroll brings in and delivers to Mr. Speaker, the following Amendments to the Bill, entituled, An Act for Naturalization, viz.

By the Lower House of Assembly, April 8th, 1760.

Amendments proposed to the Bill, entituled, An Act for Naturalization.

To the Title of the Act, add the following Words (of foreign Protestants.)

In the last Line of the second Page, instead of the Word Oath, insert the Word (Oaths.)

In the fourth Line of the third Page, after the Word Wales, strike out the Word (and.)

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In the thirteenth Line of the third Page, after the Word Provincial, insert the Words (or any County.)

After the Word Records, in the Seventeenth Line of the third Page, add the following Clauses, to wit,

(Provided always, and be it Enacted by the Authority aforesaid, That no Person, of what Quality, Condition, or Place whatsoever, other than and except such of the People called Quakers, and all foreign Protestants, who conscientiously scruple the taking an ^{p. 207} Oath, as shall qualify themselves, and be naturalized by the Ways and Means herein before mentioned, shall be naturalized by Virtue of this Act, unless such Person shall have received the Sacrament of the Lord's Supper in some Protestant and Reformed Congregation within this Province, within three Months next before his taking and subscribing the said Oaths, and making, repeating, and subscribing, the said Declaration; and shall at the Time of his taking and subscribing the said Oaths, and making, repeating and subscribing the said Declaration, produce a Certificate signed by the Person administering the said Sacrament, and attested by two credible Witnesses, whereof an Entry shall be made in the Provincial or the County Court of this Province, where the said Oaths shall be so taken, as aforesaid, without Fee or Reward.)

(Provided also, and it is hereby further Enacted by the Authority aforesaid, That nothing in this Act contained, shall extend or be construed to extend, to naturalize any Person or Persons whatsoever, who, by Virtue of an Act of Parliament made in the fourth Year of his Majesty's Reign (entituled, An Act to explain a Clause in an Act made in the seventh Year of the Reign of her late Majesty Queen Anne, for Naturalizing foreign Protestants, which relates to the Children of natural born Subjects of the Crown of England, or of Great-Britain) are declared and enacted not to be entitled to the Benefit of the said Act of the seventh Year of her said late Majesty's Reign; but that all such Persons shall be and remain in the same State, Plight and Condition, to all Intents, Constructions and Purposes whatsoever, as they would have been in if this Act had never been made; any Thing herein contained to the contrary, in any wise, notwithstanding.)

(Provided also, and be it likewise Enacted by the Authority, Advice, and Consent aforesaid, That nothing herein contained shall be construed, deemed, or taken, to secure or make valid the Estate, Right or Title of any Person or Persons, being a Papist or Papists, or reputed so to be, or of any Romish or Jesuitical Priest or Priests, or Persons reputed so to be, of, in or to, any Lands, Tenements, or Hereditaments, that he, she or they, now is, are or shall be, in Possession of, or do or hereafter shall claim any Estate in, or Right or ^{p. 208}

L. H. J. Title to; but that the Estate, Right or Title of every such Person or
 Liber No. 51 Persons, being a Papist or Papists, or reputed so to be, or Romish
 April 8 or Jesuitical Priest or Priests, or Persons reputed so to be, shall
 remain and continue in the same Plight, State and Condition, to all
 Intents and Purposes, which it would have been had this Act never
 been made; any Thing herein before contained to the contrary
 notwithstanding.)

Signed p Order, M. Macnemara, Cl. Lo. Ho.

Which were Read and agreed to.

The Bill, entituled, An Act for Naturalization; was Read the second Time, and was Ordered to be endorsed, "Read the second Time, and with the Amendments herewith sent, will pass," and was sent to the Upper House, with the said Amendments, (Signed by the Clerk of the House p Order) by Mr. Carroll and Mr. Stoddert.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, the Bill, entituled, An Act continuing an Act, entituled, A Supplementary Act to the Act for ascertaining the Height of Fences, &c.

The Bill, entituled, An Act continuing an Act, entituled, An Act to remedy some Evils relating to Servants.

The Bill, entituled, An Act continuing an Act, entituled, An Act for Relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, &c.

And, the Bill, entituled, An Act continuing an Act for the Gauge of Barrels for Pork, Beef, &c. severally Indorsed, "By the Upper House of Assembly, 1st April, 1760. Read the first Time and Ordered to lie on the Table."

And thus, "By the Upper House of Assembly, 7th April, 1760. Read the second Time, and, with the following Amendment, will pass": Leave out all the remaining Part of the Bill, after the Words in full Force, in the last Line but two.

Signed p Order, J. Ross, Cl. Up. Ho.

Which Amendments to the said Bills being severally Read, the Question was put, That this House do concur therewith. Resolved in the Negative.

The Journal of Accounts was Read and Assented to, and sent to the Upper House by Mr. Govane, and Four more.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker, the Bill, entituled, An Act continuing an Act for the speedy Recovery of small Debts out of Court, before one Justice of the Peace. And,

The Bill, entituled, An Act continuing an Act, entituled, An Act
 p. 209 directing the Manner of punishing Fornication and Adultery, &c.

Indorsed, "By the Upper House of Assembly, April 1, 1760. L. H. J.
Read the first Time, and Ordered to lie on the Table." Liber No. 51
April 8

And thus, "By the Upper House of Assembly, April 7, 1760.
Read the second Time, and will not pass.

Signed p Order, J. Ross, Cl. Up. Ho."

Ordered, That Alexander Williamson, Esq; Mr. Lloyd, and Mr. Earle, be a Committee to state and adjust the Clerk's and Serjeant's Accounts for Fees accrued by Order of the House, and Report the same.

Ordered, That the Bill, entituled, An Act to continue the several Taxes and Duties mentioned in the Act for granting a Supply of Forty thousand Pounds for his Majesty's Service, and the several Acts therein mentioned, and for suspending the Time appointed by the said Act for laying an additional Tax on Lands, and the Message from the Upper House sent with the said Bill, be Printed with the Votes and Proceedings of this Session, and in the Maryland Gazette.

[Editor's Note: *The bill referred to in the preceding paragraph continuing certain taxes imposed under the £40,000 Supply Bill for His Majesty's Service of 1756, is not entered either in the official manuscript liber or in the printed "Votes and Proceedings" of the Lower House for this session, but was printed separately by order of the Lower House, for propaganda purposes, in pamphlet form together with two other bills which were rejected by the Upper House. For some reason not very clear, the latter two bills, viz: the Assessment or Supply Bill (pp. 263-305) and the Naturalization Bill (pp. 309-313), are both entered in the official manuscript liber of the Proceedings of the Lower House for this session, while the first bill is not entered. It therefore seems best to interpolate here, rather than in the Appendix, the rejected bill which sought to continue in force certain taxes imposed under the £40,000 Supply Bill of 1756, referred to in the preceding paragraph. Only two copies of this pamphlet in which these rejected bills are printed are known to exist, one in the Maryland State Library in Annapolis and one in the Maryland Historical Society. The title of this fifty-five page pamphlet reads: "At A Session of Assembly, began [sic] at the City of Annapolis, on the 22d | Day of March, 1760, which conti- | nued until the 11th Day of April, it | was Ordered by the Honourable the | Lower House, That the following | Three Bills which did not Pass in- | to Laws, with the Amendments pro- | posed to the first by the Lower House, | and Message sent with the second. | should be Printed, and sent to the se- | veral Counties in this Province. | [Colophon]: | Annapolis: | Printed by Jonas Green,*

Printer to the Province. | M.DCC.L.X.". In the marginal references in this volume of the Archives the title is abbreviated thus: Pamphlet: Md. Hist. Soc.; "Three Bills which did not pass", 1760.]

Pamphlet
Md. Hist.
Soc., "Three
Bills which
did not pass,
1760", p. 5

An Act to continue the several Taxes and Duties mentioned in the Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and the several Acts therein mentioned; and for suspending the Time appointed by the said Act for laying an additional Tax on Lands.

p. 6 I. For as much as it appears to this General Assembly, that the several Taxes and Duties imposed and directed to be levied, collected, and paid in to the Commissioners or Trustees for emitting Bills of Credit, established by Act of Assembly, by the Act entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and striking Thirty-four Thousand and Fifteen Pounds Six Shilings thereof in Bills of Credit, and raising a Fund for sinking the same, will not be sufficient to replace and sink the said Sum of Forty Thousand Pounds in Manner and by the Time in the said Act limited and apointed; but that there will be a great Deficiency, which by the said Act is directed to be taxed and levied on the Lands only within this Province, whereby a Tax unequal and particularly grievous to the Land-Holders must be imposed: For Remedy whereof,

II. Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the several and respective Clauses mentioned and contained in the said Act, relating to the several Duties, Taxes, Fines, Forfeitures and Penalties, thereby imposed or continued, and the Levying, Collecting, Recovery and Paying in thereof, (except as therein excepted, and except also such Parts thereof, relative thereto, as are hereby repealed) and also the several and rspective Clauses in the said Act relating to the replacing and sinking the aforesaid Sum of Forty Thousand Pounds, shall be and are hereby declared to continue and be in full Force for and during the Time hereafter mentioned.

III. And be it likewise Enacted, That such Parts of the Act of Assembly entituled, An Act for issuing and taking out of the Office of the Commissioners or Trustees appointed for emitting Bills of Credit, established by Act of Assembly, the Sum of Four Thousand Five Hundred Pounds Current Money, for Encouragement of such able-bodied Freemen as shall voluntarily enlist themselves in his Majesty's Service for the intended Expedition against Canada, and for maintaining and conveying them to the Place of Rendezvous, as also for replacing of the said Sum, and for the better regulating

Ordinaries and Ordinary-Keepers, and for other Purposes therein mentioned, as relate to the regulating of Ordinaries, Ordinary-Keepers, granting Ordinary Licences, and the several Clauses, Matters and Things, therein mentioned, concerning the same, and the several Clauses of the Act for his Majesty's Service, made at a Session of Assembly begun and held at the City of Annapolis on the Seventeenth Day of July, in the Year One Thousand Seven hundred and Fifty-four, any Way relative to the several Duties, Taxes, Licence-Money, Fines and Forfeitures, therein mentioned, except the Duty on Servants imported for the Term of Seven Years and upwards, and the Duty of Two Pence per Gallon on Madeira Wine, shall be, and are hereby continued in full Force, from the Time the Purposes in the said Act shall be fully answered and compiled with, until the Purposes of the Act entitled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and striking Thirty-four Thousand and Fifteen Pounds Six Shillings thereof in Bills of Credit, and raising a Fund for sinking the same, shall be fully answered and complied with, and the Sum of Money thereby granted, shall be repaid and replaced in the Loan Office, and from thence for and during the Continuance this Act.

IV. And to prevent any Evils that may arise, should the several Funds by the aforesaid Acts imposed, and by this Act continued, be insufficient to replace and sink the Sum of Forty Thousand Pounds, according to the true Intent and Design of this, and the Act for granting thereof;

V. Be it Enacted, by the Authority aforesaid, That the Honourable Samuel Chamberlaine, Philip Thomas, Benjamin Tasker, junior, Richard Lee, Benedict Calvert, and William Goldsborough, Esquires, Philip Hammond, Charles Carroll, John Gassaway, William Murdock, Matthew Tilghman, and Robert Lloyd, Esquires, are appointed by Virtue of this Act, Commissioners for the Purposes herein after mentioned, that is to say, The said Commissioners, or the Majority of them, or of the Survivors of them, shall, on the First Monday of August, which shall be in the Year of our Lord One Thousand Seven Hundred and Sixty-three, repair to the Office of the Commissioners or Trustees for emitting Bills of Credit, established by Act of Assembly, and there examine and inspect into the State of the Funds and Accounts of Money paid into the said Office in Virtue of this Act, and the Parts of the Acts herein mentioned to be continued, and shall make an Estimate of what the several Taxes, Duties, Impositions, Licence-Money, Fines and Forfeitures, therein mentioned and continued, will amount to in Eight Years, allowing the Eighth Year's Collection of the said Taxes, Duties, Impositions, Licence-Money, Fines and Forfeitures, to be equal to

Pamphlet
Md. Hist.
Soc., "Three
Bills which
did not pass
1760"

Pamphlet
Md. Hist.
Soc., "Three
Bills which
did not pass,
1760"

the averaged Rate of the two last preceding Years Collection; and if it shall appear to them by such Estimate, that there will be a Deficiency, that is, that the Sum of Five Thousand Nine Hundred and Eighty-four Pounds Fourteen Shillings, will not, by the Ways and Means in this Act, and the Parts of the Acts herein mentioned to be continued, be replaced, and the Sum of Thirty-four Thousand

p. 8 and Fifteen Pounds six Shillings paid in, in order to be sunk and destroyed as aforesaid, by the Expiration of Eight Years, from the Twentieth Day of June, which was in the Year of our Lord One Thousand Seven Hundred and Fifty-six, then and in such Case, the said Commissioners or the Majority of them, or of the Survivors of them, shall compute and ascertain what Rate, by way of additional Tax on Lands to be imposed in the same Manner with the Land-Tax before imposed, will undoubtedly be sufficient to make good such Deficiency as aforesaid, adding thereto the Sum of Five Hundred Pounds. And the said Commissioners, who shall ascertain the Rate of such additional Land-Tax, shall make out Certificates of such Rate under their Hands and Seals to the Collector of the Land-Tax of each respective County, and deliver the same by the Twentieth Day of August, Seventeen Hundred and Sixty-three, inclosed and indorsed for his Lordship's Service, to the Sheriff of Anne-Arundel County, or his Deputy, under the Penalty of One Hundred Pounds Current Money on each Commissioner who shall ascertain the Rate aforesaid, and whose Hand and Seal shall not be set and affix'd to such Certificate; to be recovered by Action of Debt, Bill, Plaintiff, or Information; wherein no Essoin, Protection, or Wager of Law, or more than one Imparlane, shall be allowed; one Half thereof to be paid to the Informer, or him or them that shall sue for the same; the other Half thereof to be paid to the Commissioners or Trustees for emitting Bills of Credit aforesaid, to be by them applied to the replacing and sinking the aforesaid, to be by them applied to the replacing and sinking the aforesaid Forty Thousand Pounds.

VI. And be it further Enacted, by the Authority aforesaid, That if the Accounts of the Commissioners or Trustees for emitting Bills of Credit aforesaid, relating to the Monies received on the several Ways and Means in this Act, and the Acts herein mentioned to be continued, shall not, on the aforesaid First Monday of August, be in such Order that the State of the Funds to be raised by the Ways and Means aforesaid can be seen, or the Sums of Money received thereon, known on View, then and in such Case each of such Commissioners shall forfeit and pay the Sum of One Hundred Pounds Current Money; to be recovered by Action of Debt, Bill, Plaintiff, or Information, where no Essoin, Protection or Wager of Law, or more than one Imparlane shall be allowed; one Half thereof to the Informer, or him, her or them, that shall sue for the same;

the other Half to be paid to the Commissioners or Trustees for emitting Bills of Credit aforesaid, to be by them applied to the replacing and sinking the aforesaid Forty Thousand Pounds.

VII. And be it further Enacted, by the Authority aforesaid, That each of the said Commissioners who shall attend at the Paper-Currency-Office on the Day aforesaid, and set his Hand and Seal to such Certificate as aforesaid, shall be allowed in the Journal of Accounts of this Province, the same Wages respectively as are allowed by Law to Councillors and Delegates serving in General Assembly, besides their itinerant Charges, and no more.

VIII. And be it further Enacted, by the Authority aforesaid, That the said Commissioners for ascertaining the additional Land Tax aforesaid, shall lay before the next General Assembly of this Province, after the said Twentieth Day of August, Seventeen Hundred and Sixty-three, on the third Day after their meeting, a full and fair Account of all their Proceedings relative to the Execution of their Trust aforesaid, for their Approbation.

IX. And be it further Enacted, by the Authority aforesaid, That the said additional Land Tax shall be collected, levied, accounted for and paid, in the same Manner, and under the same Penalties, Fines and Forfeitures, to all Intents and Purposes, as the Land Tax in the before recited Act imposed, is to be collected, levied, accounted for and paid; and the Penalties, Fines and Forfeitures, relative thereto, shall be recovered and applied as by the said Act is directed, as to the Penalties, Fines and Forfeitures, relative to the Land Tax aforesaid.

X. And be it further Enacted, That in Case any more Money shall be raised in Virtue of this Act than shall be sufficient to make good the Deficiency herein before mentioned, the same shall be applied towards the Discharge of the Public Expence of this Province, as the General Assembly thereof for the Time being, shall direct and appoint.

XI. And be it further Enacted, That the several Clauses mentioned and contained in the aforesaid Act granting Forty Thousand Pounds for his Majesty's Service, relative to the additional Land Tax therein mentioned, shall be and are hereby repealed.

XII. This Act to continue until the Twentieth Day of June, which shall be in the Year of our Lord One Thousand Seven Hundred and Sixty-four, and to the End of the next Session of Assembly which shall thereafter happen, and no longer; except as to the Recovery of p. 10 all and every the Penalties, Fines and Forfeitures, mentioned in this and the aforesaid recited Acts, and except also as to the accounting for, paying in, and recovering of all Sums of Money, by or from the several Collectors and Officers appointed by the said Acts to carry the same into Execution, which they shall or ought to have collected, levied, accounted for, or paid in.

Pamphlet
Md. Hist.
Soc., "Three
Bills which
did not pass,
1760"

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Pamphlet
Md. Hist.
Soc., "Three
Bills which
did not pass,
1760"

The Indorsements on the aforesaid Bill are as follow:

By the Lower House of Assembly, 4th April, 1760.

Read the first Time, and ordered to lie on the Table.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

By the Lower House of Assembly, 4th April, 1760.

Read the second Time by an especial Order, and will Pass.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

By the Upper House of Assembly, 5 April, 1760.

Read the first Time, and ordered to lie on the Table.

Signed per Order, J. Ross, Cl. Up. Ho.

By the Upper House of Assembly, 7 April, 1760.

Read the second Time, and will not Pass.

Signed per Order, J. Ross, Cl. Up. Ho.

By the Upper House of Assembly, April 7, 1760.

Gentlemen,

We are equally desirous with yourselves to afford all reasonable Relief to the People of this Province in general, and the Land-Holders in particular, upon whom a very heavy Tax, by the great Deficiency of the Funds for sinking the 40,000 l. must in a short Time be laid, unless by some Bill to be passed this Session, including a larger Number of Contributors, that Inconvenience shall be obviated; but at the same Time that we are strongly inclined to relieve Individuals, we think it incumbent upon us to pay all the Regard to Public Faith, and consequently to Public Credit, which these very important Points deserve, and our present Circumstances will allow.

In these Respects, as well as in some other, the Bill herewith returned with a Negative appears to us to be defective; but we are not without Hope for receiving another upon a Plan more consistent, and less liable to Objections, and have therefore taken the Liberty of recommending to your Consideration a Tax long experienced in this Province, and more equal, and less grievous to the People than a Land-Tax, together with the Appropriation, and Continuance of the Funds, mentioned in the Bill to have answered, or almost answered, the Ends for which they were created: The annual Produce whereof in future may be nearly estimated on a Review of the annual Income they have hitherto produced; and as we are informed that the Deficiency, which by the Law as it now stands, is to be made good by a Land-Tax only, has been calculated at about 26,000 l. we conceive this Sum may be discharged by these Means in Two Years from this Time, without any considerable Inconvenience, or just Cause of Complaint. The Public Faith and Credit must be preserved at all Events, and should you therefore

not be inclined to fall upon some Method, for the Ease of the Landed Interest, less exceptionable than that proposed by the Bill we have rejected, rather than expose these to any Hazard, we shall be obliged to suffer the unequal Burthen on Land, imposed by the original Bill, to take Place.

Pamphlet
Md. Hist.
Soc., "Three
Bills which
did not pass,
1760"

Signed per Order, J. Ross, Cl. Up. Ho.]

Ordered, That the Assessment Bill be Entered on the Journal by the Clerk of this House, and that the Printer do Print the same with the Votes and Proceedings of this Session.

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Ordered, That the Clerk of this House be allowed in the Journal of Accounts for Entering the Assessment Bill, and the Bill for Naturalization, with the Votes and Proceedings, on the Journal of this Session.

The House adjourns till the Morrow Morning at nine of the Clock.

In pursuance of the Order of this House the following [Assessment] Bill is here Entered Viz.^t

An Act for granting a Supply of Sixty Thousand Pounds for his Majesty's Service, and for defraying the Expences heretofore incurred for the Defence and Security of the Frontier Inhabitants of this Province, and for other Purposes therein mentioned.

I. We, his Majesty's most dutiful and loyal Subjects, the Representatives of the Freemen of the Province of Maryland, in Assembly convened, taking into our serious Consideration the Expences necessary for his Majesty's Service, and which have been incurred for the Defence and Security of the Frontier Inhabitants of this Province, have, for those Ends and Purposes, and other good Ends p. 210 and Purposes mentioned in this Act, chearfully and unanimously Given and Granted, and by this Act do Give and Grant for the Ends and Purposes aforesaid, the several and respective Rates and Assessments hereafter mentioned: And do humbly Pray that it may be Enacted,

II. And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Commsisioners or Trustees for Emitting Bills of Credit established by Act of Assembly, shall, and they are hereby required and enjoined forthwith, to Sign, Number and Date, of the Blank Books of Bills of Credit, for Renewment of defaced Bills, now in their Office, Bills of Credit to the amount of Nine Thousand Pounds, and the said Bills to Emit, make Current, and Pay out, to the several and respective Agents, Commissioners,

L. H. J. and Persons, hereafter appointed to demand and receive the same;
Liber No. 51 and to Pay to the Agents, Commissioners and Persons aforesaid,
April 8 out of any Bills of Credit now in their Office unappropriated, or
which shall on any Account whatsoever be received into the same,
before the First Day of June next, to the amount of Nine Thousand
Pounds; and also to pay to the Agents, Commissioners, and Persons
aforesaid, out of the Bills of Credit now in the said Office appro-
priated to the Payment for Scalps or Prisoners, to the amount of
Two Thousand Pounds, which said Sum of Two Thousand Pounds,
the said Commissioners or Trustees shall Replace, by the first Bills
of Credit which shall be paid into the said Office after they have
received in to the amount of Nine Thousand Pounds, including the
said Bills of Credit now in their Office unappropriated.

III. And be it further Enacted by the Authority, Advice, and Consent aforesaid, That Bills of Credit to the Value of Forty Thousand Pounds Current Money of America, according to an Act of Parliament made in the Sixth Year of the Reign of the late Queen Anne, for ascertaining the Rates of foreign Coins in the Plantations, shall be Printed and Struck with all convenient Speed, on good single Paper, under the Care and Directions of the Commissioners or Trustees for Emitting Bills of Credit established by Act of Assembly, for the Time being, in Manner and Form following: "This

211 Indented Bill of shall pass Current for the Sum
herein mentioned, in all Payments, according to the Directions of
an Act of Assembly of Maryland. Dated in Annapolis the
Day of Anno Domini "; And shall be of
the several and respective Denominations following; and no other,
to wit, Sixteen Thousand Bills of Twenty Shillings each, Sixteen
Thousand Bills of Fifteen Shillings each, Sixteen Thousand Bills
of Ten Shillings each, and Sixteen Thousand Bills of Five Shillings
each. And the Sum of Money that each and every of the said Bills
is to pass for, shall be Printed at the Top of such Bill in Words
at Length, and the said Bills of Credit shall be Printed, Struck and
Stamped, as near as may be, with the same Types, Marks and
Stamps, with which the last Emission of Bills of Credit were
Printed, Struck and Stamped, and the said Marks and Stamps shall,
by the said Commissioners or Trustees, be delivered out of their
Office to the Printer, who shall be employed to Print the said Bills
of Credit for that Purpose; and the said Bills of Credit so Printed,
Struck and Stamped, the said Commissioners or Trustees shall
carry to, and deposite in their Office; and the same, as soon as con-
veniently may be, shall Sign, Date and Number, beginning for the
first Number of the Bills of each Denomination, with the Number
next following the last Number of the same Denomination of the
said last Emission: And the said Commissioners or Trustees for
Emitting Bills of Credit, are hereby directed and required to use

their best Care and Diligence, that the said Bills of Credit, according to their respective Denominations aforesaid, and according to the Manner and Form aforesaid, be forthwith Printed, and made ready for Emission, and that the Number thereof be not exceeded, or any clandestine or fraudulent Practice used by the said Printer, his Servants, or Others concerned therein.

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IV. And be it further Enacted, That the Printer who shall or may be employed in Printing and Stamping the Blank Bills of Credit in this Act mentioned, and all his Apprentices and Servants, which he may employ in the said Work, shall, before he or they begin or enter upon the same, take, before some Justice of the Provincial Court, the following Oath, to wit, "I A B do Swear, that I will truly, faithfully, and honestly, perform my Duty of Printer, agreeable to the Directions of an Act of Assembly of this Province, entitled, An Act for granting a Supply of Sixty Thousand Pounds for his Majesty's Service, and for defraying the Expences heretofore incurred for the Defence and Security of the Frontier Inhabitants of this Province, and for other Purposes therein mentioned; and will not advisedly Print or Stamp any greater Number of Blank Bills of Credit, or of any other Denomination than by that Act is directed: So help me God."

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V. And if such Printer, his Servant, or Apprentice, shall advisedly Print and Stamp any greater or larger Number of the Blank Bills aforesaid, or of any other Denominations than by this Act is limited and expressed, and be thereof legally convicted in any Court of Record within this Province, such Printer, Servant, or Apprentice, shall suffer as in Case of wilful and corrupt Perjury; and the said Printer shall furthermore forfeit and pay the Sum of Five Hundred Pounds Current Money, to be recovered and applied as herein after directed.

VI. And be it further Enacted, That the Printer of the said Blank Bills, shall not, by himself, Servant, or any other Person by him employed, presume to Stamp the said Bills, or any of them, but in the Presence of one or more of the Commissioners or Trustees of the Loan-Office of this Province, who are hereby required and directed to be present; and when all the said Bills shall be Printed and Stamped, the Stamps and Flowers by which such Impression may be made, shall be delivered by the said Printer to the Commissioners of the Loan-Office, under the Penalty of Five Hundred Pounds Current Money, to be recovered and applied as herein after directed. And the said Commissioners are hereby required and directed to receive the said Stamps and Flowers into their Possession, and the same safely keep in their Office aforesaid, under the Penalty of Five Hundred Pounds Current Money, to be recovered and applied as herein after directed.

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VII. And be it further Enacted, That the said Commissioners or Trustees, after the said Bills of Credit are Printed, and by them Signed, Dated and Numbered, according to the Directions of this Act, shall deposite and keep them in one of the Iron Chests now in the Paper Currency Office; and that each Commissioner or Trustee shall keep a Key, to the End that no Bills of Credit which shall be signed, may be taken out or disposed of, but by or in the Presence of all the Commissioners or Trustees; which Chest shall be by them kept in the Repository built for the present Paper Currency. And the said Commissioners or Trustees are hereby impowered and directed to issue and pay out the said Bills of Credit to the Agents, Commissioners and Persons, herein after appointed to demand and receive the same.

VIII. And be it further Enacted, That the said Commissioners or Trustees shall, out of the said Bills of Credit so to be Printed and Stamped as aforesaid, pay to the said Printer for providing Materials for, and Printing and Stamping the said Bills of Credit, amounting to Forty Thousand Pounds, and doing and performing every Service by Virtue of this Act by him to be performed, the Sum of One Hundred and Sixty Pounds, and no more.

IX. And be it further Enacted, That any Person or Persons who shall Counterfeit any of the said Bills of Credit, which shall be emitted or made current by this Act, or shall alter the Sum expressed in any of the said Bills, and his, her or their Aiders or Abettors, or who shall utter or offer, or cause to be uttered or offered, in Payment, any such counterfeit or altered Bill or Bills, knowing the same to be counterfeit or altered, and shall be thereof convicted by due Course of Law, or stand mute, or peremptorily challenge above the Number of Twenty of the Pannel, shall suffer Death as a Felon or Felons without Benefit of Clergy; and all Magistrates and Others, into whose Hands any such counterfeited or altered Bills may happen to come, shall forthwith deliver the same to one of the Commissioners or Trustees aforesaid, who shall cause the Names of those that delivered them, and of the Persons from whom they were taken, to be endorsed on the Back thereof; which Bills shall be safely kept in the said Office, and be forthcoming when there may be Occasion thereof.

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X. And be it further Enacted, That the Said Commissioners or Trustees, before they enter upon the Execution of their Trust under this Act, shall each of them severally enter into Bond, with sufficient Sureties, jointly and severally, before one of the Provincial Treasurers for the Time being, in the Penalty of Three Thousand Pounds Sterling Money, payable to the said Lord Proprietary, for the Observance and faithful Discharge of the Trust hereby reposed in them. And the said Treasurer shall immediately cause the said Bonds to be proved by the Witnesses thereto, before one Provincial

Justice, who shall forthwith endorse the Probate of the same Witnesses on the Back thereof, and also, by an Order under his Hand on the Back of the same Bond, require the Clerk of the Provincial Court immediately to record among the Land Records of his Office, the said Bond, Probate, and Order; and the said Clerk shall immediately after the recording aforesaid, deliver the Original to the Register of the Chancery Court, to be by him safely kept in the Chancery Office; and an attested Copy of the said Bond and Probate from the said Provincial Records, shall be as good Evidence in Law to maintain an Action of Debt for the Breach of the Condition thereof, to all Intents and Purposes, as if the said Bond or Bonds were actually produced and proved in Court. And the said Commissioners or Trustees shall also take the following Oath before some Provincial Justice (who is hereby empowered and required to administer the same) to wit, "I A. B. do Swear, that I will, according to the best of my Skill and Knowledge, faithfully, impartially, and truly demean myself, in Discharge of the Trust committed to me by an Act of General Assembly of this Province, entitled, An Act for granting a Supply of Sixty Thousand Pounds for his Majesty's Service, and for defraying the Expences heretofore incurred for the Defence and Security of the Frontier Inhabitants of this Province, and for other Purposes therein mentioned, according to the Purport and Tenor of the said Act, so that none may be prejudiced by my Consent, Privity, or Procurement: So help me God."

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XI. And be it further Enacted, That the said Commissioners or Trustees shall keep true, separate, distinct, and regular Accounts, as well of the Bills of Credit which they shall Sign, Emit and Issue, as aforesaid, as of the Money and Bills of Credit, which they shall receive and pay pursuant to this Act, and of all other their Proceedings in Consequence thereof; which several Accounts and Proceedings, a Committee of both Houses of Assembly shall be appointed every Session to inspect and examine. And the said Commissioners or Trustees are hereby required and obliged to lay such Accounts as aforesaid, and a full and fair State of their Proceedings, before such Committee, to the End they may be satisfied, that the Sums, for which Bills of Credit are directed by this Act to be Issued, are not exceeded; and may be fully acquainted, from Time to Time, with the State of the whole Transactions and Affairs relating to the said Office, and of the Management and Behaviour of the said Commissioners or Trustees. And the said Committee shall every Session Report to the General Assembly the State and Condition of the said Office, and the Conduct and Behaviour of the said Commissioners or Trustees, to the End that any Corruption or Mismanagement, may be timely guarded against and prevented.

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XII. And be it further Enacted, That the Clerk, for the Time being, to the Commissioners or Trustees aforesaid, shall keep the

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- Books of Accounts of all their Transactions, and of all their Proceedings, in Virtue of this Act; for which, and for every other Service incident to his Office, in Virtue of this Act, he shall have a Salary of Fifteen Pounds Current Money, and no more, to be paid by the said Commissioners or Trustees in the said Bills of Credit. But, before he shall enter upon the Execution of his said Office, he shall take an Oath before some Justice of the Peace of this Province (who is hereby empowered and required to administer the same) in these Words: "I A. B. do Swear, That I will truly and faithfully perform and execute the Office and Duty that is directed and required of me as Clerk to the Commissioners or Trustees for Emitting Bills of Credit, established by Act of Assembly, by a Law of this Province, entituled, An Act for granting a Supply of Sixty Thousand Pounds for his Majesty's Service, and for defraying the Expences heretofore incurred for the Defence and Security of the Frontier Inhabitants of this Province, and for other Purposes therein mentioned; and I will keep just, true, and regular Accounts of all the Bills of Credit, which shall be issued and paid out of the said Office, and the Names of those to whom the same shall be paid and delivered; and also, just, true, and regular Accounts of all Bills of Credit, and Sums of Money, which, by Virtue of the said Act, shall be paid and received, and by whom, into the said Office, and all other necessary Accounts relating to the said Bills of Credit; and true Entries make of all other Proceedings and Transactions of the said Commissioners or Trustees, relative to their Duty under the said Act, without any fraudulent Practice whatsoever: So help me God." Which Justice of the Peace, so administering such Oath, is hereby required immediately to send a Certificate of such Clerk's having taken such Oath, to the Clerk of the Provincial Court, who shall receive and file the same in his Office; and the Office-Bond of the said Clerk of the said Commissioners or Trustees, and his Sureties in such Bond, shall be answerable for, and put in Suit, for any Breaches of his Duty committed against this Act.

XIII. And be it further Enacted, That each of the said Commissioners or Trustees, for the Time being, who shall undertake and execute the aforesaid Trust, shall be allowed for his Trouble and Service therein, Twenty Pounds Current Money, and no more.

XIV. And be it further Enacted, That the Bills of Credit, that shall be Emitted and made Current by Virtue of this Act, shall be Current for and during the same Term and Time as the Bills of Credit already Emitted and made Current by the Act, for Emitting and making Current Ninety Thousand Pounds Current Money of Maryland, in Bills of Credit, are, by the said Act, directed and appointed to be Current; and during the said Term shall pass and be received in Payment, Satisfaction, and Discharge, of all Sums of

Money to be paid by this Act, and of all such Contracts, Debts, Lawyers and Officers Fees, and Levies, and all such Bounties, Rewards, and Allowances, given and allowed by any Act of Assembly of this Province, in Money or Tobacco, and all such Fines, Forfeitures, and Penalties, settled or established in Money or Tobacco by any Law of this Province, and of all such Rates, duties, and Impositions, upon the Importation or Exportation of any Goods, Wares, or Merchandizes, Servants and Slaves, allowing the usual Allowance of Thirty-three Pounds Six Shillings and Eight Pence per Cent, between Sterling and Currency; and of all other Debts, of what Nature, Quality, or Degree soever, now due, or which shall hereafter arise or become due, during the Continuance of this Act, which, by the Laws of this Province, shall and may be paid in any Bills of Credit already Emitted and made Current in this Province, p. 217 or in Gold or Silver; and if any Person or Persons shall produce to the Commissioners or Trustees for Emitting Bills of Credit, established by the Act of Assembly, for Emitting and making Current Ninety Thousand Pounds Current Money of Maryland, in Bills of Credit, within the Time by the said Act limited for cancelling and vacating the Bills of Credit, now in Circulation, in Virtue thereof, any Bill or Bills of Credit Emitted or made Current by Virtue of this Act, the same Bills of Credit shall be cancelled and vacated; and such Person or Persons shall be satisfied and paid for them out of the same Fund, and in the same Manner, as if they had been Bills of Credit Emitted and made Current by Virtue of the aforesaid Act, for Emitting and making Current Ninety Thousand Pounds Current Money of Maryland, in Bills of Credit; any Law, Usage, or Custom, or any Thing herein before contained to the contrary, notwithstanding.

XV. And be it further Enacted, That any Person or Persons tendering or offering the Bills of Credit, by this Act to be Emitted, in Discharge of any such Debts or Contracts as aforesaid, or in Payment or Discharge of any such Levies, Fees, Penalties, Bounties, Rewards, and Allowances, Fines, Forfeitures, Rates, Duties, and Impositions, as aforesaid, shall have and receive the same Benefit and Advantage from and by such Tender, as if such Tender was made in Gold or Silver, or Tobacco, in Specie, or in the Bills of Credit heretofore Emitted and made Current in this Province; any Law, Usage, or Custom, to the contrary, notwithstanding.

XVI. And be it further Enacted, That if at any Time pending any Action or Suit, for the Payment of Current Money, payable by Bond, Bill, Note, Account, or other Contract, the Defendant shall bring into Court, where the Action or Suit shall be depending, all the principal Money and Interest due on such Bond, Bill, Note, Account, or other Contract, and pay all Costs, which shall arise due on such Action or Suit, and shall tender the same Bills of

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 Liber No. 51 Defendant or Defendants in any such Action or Suit, shall be by
 April 8 the Court absolutely discharged therefrom.
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XVII. And be it further Enacted, That upon Application, during the Continuance of this Act, to the Commissioners or Trustees aforesaid, by any Person or Persons, having any of the Bills of Credit, by this Act to be Emitted or made Current, which are torn or defaced, and not fit to pass, it shall and may be lawful to and for the said Commissioners or Trustees, and they are hereby required, without Fee or Reward, in Lieu of such torn or defaced Bill or Bills, to deliver unto such Person or Persons any Bills of Credit, which may be received and paid into the said Office in Virtue of this Act, and which may be in their Hands unapplied, for the same Value for which such torn or defaced Bill or Bills shall pass Current at the Time of bringing the same to the said Commissioners or Trustees, and to keep and retain such torn or defaced Bill or Bills as shall be brought in: And they shall, and are hereby directed and required to keep separate and distinct Accounts of all such torn or defaced Bills, so by them taken and received, and of the Bills of Credit delivered out in Lieu thereof.

XVIII. And be it further Enacted, That the Commissioners or Trustees aforesaid, after the Sum of Two Thousand Pounds, and the Sum of Nine Thousand Pounds, in Bills of Credit, herein before directed to be paid and delivered out, shall be repaid and replaced into their said Office, in the same State and Condition in which they shall be at the Time the same are paid out as aforesaid, by the first Monies that shall thereafter come into the said Office, shall retain and keep in the said Office all such Sums of Money, in Bills of Credit, as they shall receive by Virtue of this Act, except such Part thereof as shall be exchanged for torn and defaced Bills, and all torn and defaced Bills, so taken in Exchange, until the next Session of Assembly; and then shall burn and destroy the same, before the Committee which shall be appointed to inspect the Accounts and Proceedings of the said Office; and so from Session to Session, until they have destroyed the full Sum of Forty-nine Thousand Pounds.

XIX. And to the End that no Person may complain of Want of Opportunities to pay in the Monies, required by the several Laws of this Province to be paid to the said Commissioners or Trustees for Emitting Bills of Credit, established by Act of Assembly; Be it Enacted, That the said Commissioners or Trustees shall, and they are hereby strictly enjoined and required to attend their Office, for the Dispatch of Business, on the Wednesdays and Thursdays of every Week (the usual Holidays of Christmas excepted) from the Hour of Nine until Twelve in the Forenoon, and from the Hour of Two until Five Afternoon.

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XX. And be it further Enacted, That the Bills of Credit, by this Act before directed to be Emitted, made Current, and Paid out, as aforesaid, shall be applied to the Uses and Purposes herein after mentioned, and to no other Use or Purpose whatsoever; That is to say, The Sum of Seven Thousand One Hundred and Eighty-six Pounds Current Money, or so much thereof as may be necessary to the reimbursing the Money advanced in the Year One Thousand Seven Hundred and Fifty-eight, by General Forbes, for the Payment of Part of the Arrears due for the Pay, Victualling and Cloathing of the Five Hundred Men, taken into the Pay of this Province, by Virtue of an Act, entituled, An Act for his Majesty's Service, and the more immediate Defence and Protection of the Frontier Inhabitants of this Province, from the Time the Money appropriated by the said Act, was expended, until the Time when they were by him taken into his Majesty's Service, and for the Repayment of the Money by him advanced for the Pay and Cloathing of the said Men, from the Time when they were so taken into his Majesty's Service, until the End of the Campaign in the Year One Thousand Seven Hundred and Fifty-eight; and the Sum of Six Thousand Eight Hundred and Fourteen Pounds Current Money, or as much thereof as may be necessary, for the Payment of the Residue and Remainder of the Arrears that may be due after the Payment aforesaid, for the Pay and Subsistence of so many of the said Men as shall appear to have been employed in the Service of this Province, from the Time the Money appropriated by the said Act for those Purposes, was expended, until the Time when they were taken into his Majesty's Service as aforesaid, by Muster-Rolls, to be returned as by the Act aforesaid is directed, to the Persons herein after appointed, and to the Pay and Cloathing of so many of the said Men as shall, by Muster-Rolls to be returned to the said Persons, appear to have p. 220 been taken into and employed in his Majesty's Service, by General Forbes, from the aforesaid Time when they were by him taken into his Majesty's Service, to the End of the Campaign in the Year One Thousand Seven Hundred and Fifty-eight; and such Sum as shall be necessary to the Pay and Subsistence of the said Men, from the End of the Campaign in the Year One Thousand Seven Hundred and Fifty-eight, during the Time they shall appear by Muster-Rolls to be returned as last aforesaid, to have been in the Service of this Province, until they were Disbanded, Discharged, or had Leave of Absence from the said Service.

XXI. And whereas, by Letters from the Right Honourable William Pitt, Esq; one of his Majesty's principal Secretaries of State, and General Amherst, Commander in Chief of his Majesty's Forces in North-America, it appears that our most Gracious Sovereign is resolved, by the Blessing of God on his Arms, to improve the great and important Advantages gained the last Campaign, and

L. H. J. has expressed a Confidence that his faithful Subjects of this, as
 Liber No. 51
 April 8 well as those of all his other Colonies, will chearfully co-operate
 with and second to the utmost, the large Expence and extraordinary
 Succours supplied by the Kingdom of Great-Britain for their
 Preservation and Defence, and to that End will raise, with all possi-
 ble Dispatch, as large a Body of Men as the Number and Situation
 of the Inhabitants thereof may allow; and as his Majesty has been
 pleased to signify that the whole he requires of the several Provinces,
 is the Levying, Cloathing and Pay of the Men, and that strong
 Recommendations will be made to Parliament in their Session next
 Year, to grant a proper Compensation for such Expences as may be
 incurred on those Heads, according as our strenuous Efforts may
 appear to merit: In order therefore, to the utmost of our Abilities,
 to answer his Majesty's Royal Expectations, firmly relying on the
 Weight of his Recommendation to Parliament for a Compensation
 for this extraordinary Exertion of our Force, we do pray that it may
 be Enacted,

XXII. And be it Enacted, by the Right Honourable the Lord
 Proprietary, by and with the Advice and Consent of his Lordship's
 Governor, and the Upper and Lower Houses of Assembly, and
 the Authority of the same, That the Sum of Twenty-six Thousand
 Seven Hundred and Fifty Pounds, or so much thereof as may be
 necessary, shall be apied to the Levying, Cloathing and Paying of
 One Thousand Men, Officers included, to act in Conjunction with
 such Forces as shall be under the supreme Command of his Ex-
 cellency General Amherst, or other Person duly authorized, in such
 offensive Operations as shall be judged most expedient for impro-
 ving those important Advantages, and annoying the Enemy, until
 the First Day of November next, and no longer, unless his Majesty's
 Commander in Chief, or other Person properly authorized, shall
 think fit to dismiss the said Men, or any Part of them, before that
 Time; which said Men shall be paid by Muster-Rolls, to be taken
 and returned in the same Manner as is used and practiced among
 his Majesty's Regular Forces, after the following Rates; That is to
 say, To one Colonel, Twenty Shillings per Day: To one Lieutenant-
 Colonel, Seventeen Shillings and six Pence per Day: To one Major,
 Fifteen Shillings per Day: To Ten Captains, each having the
 Command of Ninety-nine Men (Officers included) Twelve Shillings
 and Six Pence per Day: To Twenty Lieutenants, each Seven
 Shillings and Six Pence per Day: To Ten Ensigns, each Six
 Shillings per Day: To Forty Serjeants, each One Shilling and Six
 Pence per Day: To Forty Corporals, each One Shilling and Two
 Pence per Day: To Twenty Drummers, each One Shilling and Two
 Pence per Day: To Eight Hundred and Fifty-seven private Men,
 able-bodied and fit for Service, Nine Pence per Day: To a Surgeon,
 Seven Shillings and Six Pence per Day: To a Surgeon's Mate, Four
 Shillings per Day.

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XXIII. And be it Enacted, That all and every the Officers and Soldiers aforesaid, shall, whilst in the Pay of this Province, by Virtue of this Act, be liable to martial Law and Discipline, in like Manner, to all Intents and Purposes, as the British Forces are by the Statute Laws of Great-Britain, now in Force.

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XXIV. And whereas the better to facilitate this important Service, his Majesty has been graciously pleased to leave it to his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over this Province, to issue Commissions to such Gentlemen of this Province as he shall judge, from their Weight and Credit with the People, and their Zeal for the Public Service, may be best disposed and enabled to quicken and effectuate the speedy Levying of the greatest Number of Men:

XXV. Be it therefore Enacted, by the Authority, Advice, and Consent aforesaid, That it shall and may be lawful for the said Horatio Sharpe, Esq; or the Governor or Commander in Chief of this Province, for the Time being, to issue so many Commissions to such Gentlemen as aforesaid, as may be necessary for the Enlisting and Raising Nine Hundred and Fifty-seven Men: And the Agents p. 222 herein after appointed, are hereby required to deliver to the Persons who shall be empowered to Enlist and Raise the said Men as aforesaid, such Sums of Money as the Governor or Commander in Chief of this Province, for the Time being, shall direct, by Order under his Hand, to be by the said Persons expended in Bounties for Enlisting Men as aforesaid, at the Rate of Twelve Pounds per Man, and Twenty Shillings to the Officer as a Reward for Enlisting each Man, so as the said Sums to be delivered by the said Agents exceed not, in the Whole, the Sum of Twelve Thousand Four Hundred and Forty-one Pounds. And the said Agents, before they shall deliver any Money to the said Persons, so to be employed in Enlisting and Raising any of the Men to be taken into and supported in the Pay of this Province, under and by Virtue of this Act, shall take Bonds from such Persons respectively, with proper Security, payable to the Right Honourable the Lord Proprietary of this Province, obliging them to account for such Monies as to them shall be delivered for the Purposes aforesaid, as herein after directed, and to re-deliver to the said Agents any Part of the said Monies that may remain in their Hands unapplied to the Uses aforesaid.

XXVI. And be it further Enacted, That the said Persons so to be empowered to Enlist and Raise Men as aforesaid, shall, and they are hereby enjoined and required to account with the Agents aforesaid, by the Expiration of Three Months from the End of this Session of Assembly, for all such Monies as at the Time of such accounting shall be by them expended in the Uses aforesaid, and shall then deliver unto the said Agents, Receipts from the Men by them respectively Enlisted, for all such Bounty-Money as they shall

L. H. J. claim Allowance for on such accounting; and by the First Day of
 Liber No. 51 November next, shall, in like Manner, account with the said Agents,
 April 8 and deliver in Receipts as aforesaid, for all such Sums of Money as
 they shall then claim Allowance for on such their accounting, and the
 Remainder of the said Sums then in their Hands respectively they
 shall then pay to the said Agents, to be by them applied to the other
 Purposes of this Act, if Occasion be; but the said Agents shall not
 allow to any Persons impowered to Enlist and Raise Men as aforesaid,
 in any such Settlement as aforesaid, for the Bounty-Money for
 Enlisting and Raising any Men (unless in Case of Death or actual
 Desertion, to be made appear to the Satisfaction of such Agents)
 p. 223 until he shall produce a Certificate from some Person impowered by
 his Excellency the Governor or Commander in Chief of this Province,
 that such Man was able-bodied and fit for the Service aforesaid,
 and has passed Muster at some Place, and before some Person, for
 that Purpose appointed; nor shall they allow more than at the Rate
 of Twelve Pounds per Man for the whole Number of Men to be
 Enlisted by any one Person to be commissioned as aforesaid, and
 Twenty Shillings to such Person as a Reward for Enlisting the
 said Men.

XXVII. And to prevent any Abuses or Impositions by Public House-Keepers, in whose House any Soldier may be Quartered or Billeted; Be it Enacted, That no Public House-Keeper, at any Time before the First Day of November next, shall charge to, or receive from, any Officer under the Degree of a Captain, or private Soldier, Quartered or Billeted in his or her House, more than the following Rates, viz. For a Commission Officer, under the Degree of a Captain, for his Lodging, and Diet of such good and wholesome Food as is usually provided by Ordinary-Keepers in this Province, with small Beer or Cyder, the Sum of Eighteen Pence Current Money per Diem; and for a private Soldier, for his Lodging and Diet as aforesaid, with small Beer or Cyder, the Sum of One Shilling per Diem.

XXVIII. And be it further Enacted, That if any Person shall, from and after the End of this Session of Assembly, before the First Day of November next, harbour or conceal, or assist, any Deserter from the Service aforesaid, knowing him to be such, or shall knowingly buy or exchange, or otherwise receive, any Cloaths, Arms, or Military Accoutrements, from any Soldier or Deserter from his Majesty's Service, or the Service of any of his Colonies in America, the Person so offending shall forfeit, for such Offence, the sum of Ten Pounds Current Money.

XXIX. And be it further Enacted, That every Person, who, after his Discharge from the said Service, shall produce to the County Court where he shall reside, a Certificate from his Commanding Officer of his good Behaviour therein, and that at the Time of his Enlistment he was able-bodied and fit for the Service

(which Certificate the Clerk of the same Court shall record without Fee or Reward) shall be exempted from the Payment of all Manner of Taxes or Levies whatever; as also from the labouring on High-Ways, and from Payment of Ferriages, for the Space of Three Years next after the producing such Discharge or Certificate.

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XXX. And for the Encouragement of such able-bodied Men as shall venture their Lives in his Majesty's Service, under this Act, and shall happen to be maimed, or rendered incapable to get a Livelihood for themselves or Families, Be it Enacted, That every able-bodied Person who shall adventure as aforesaid, and shall happen to be maimed, or receive Hurt, in such Service, so as to be incapable of getting a Livelihood as aforesaid, shall, according to his Disability, receive a yearly Pension, to be raised out of the Public Levy of this Province, during the Time of such Disability; the Party petitioning for such Pension or Allowance producing a Certificate, to the County Court where he shall reside, from his Commanding Officer, of his being an able-bodied Person at the Time of his Enlistment, and fit for the Service, how long he may have been in such Service, of his good Behaviour therein, and for what Cause discharged (which Certificate the Clerk of the same Court shall record ex Officio) and likewise producing from the said Court a Certificate to the General Assembly, that he is an Object of Charity, and deserves to have such Pension and Allowance.

XXXI. And be it further Enacted, That Mr. William Murdock, and Mr. Nicholas MacCubbin, shall be, and are hereby appointed Agents, for paying all Sums of Money due for the Pay and Subsistence of so many of the Five Hundred Men, taken into the Pay of this Province, by Virtue of an Act, entituled, An Act for his Majesty's Service, and the more immediate Defence and Protection of the Frontier Inhabitants of this Province, as shall appear to have been employed in the Service of this Province, by Muster-Rolls to be returned upon Oath to the Agents aforesaid, from the Time the Money appropriated by the said Act for that Purpose, was expended, until the Time they were taken into his Majesty's Service by General Forbes; and for paying all Sums of Money due for the pay and Cloathing of so many of the said Men, as shall appear by Muster-Rolls, to be returned as aforesaid, to have been employed in the said Service, from the Time aforesaid, to the End of the Campaign in the Year One Thousand Seven Hundred and Fifty-eight; and also all Charges and Expences that may accrue in Raising, Cloathing and Paying the aforesaid One Thousand Men, Officers included; and also for paying out, disbursing and disposing of all other Monies, raised and applied by Virtue of this Act, where it is not otherwise herein directed.

XXXII. And be it further Enacted, That the Agents aforesaid shall, and they are hereby required to pay to the Order or Orders of

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any Person or Persons, properly authorized to receive the same, indorsed on the Receipts of the several Officers of the said Five Hundred Men, to whom General Forbes may have advanced Money, for Pay, Cloathing and other Necessaries for the said Men, any Sum or Sums of Money, not exceeding, in the Whole, Three Thousand Pounds Current Money of this Province.

XXXIII. And the said Agents, on the Order or Orders of the said Person or Persons appointed to receive the same, indorsed on the Receipt or Receipts of Doctor David Ross, for any Sum or Sums, not exceeding, in the Whole, the Sum of Two Thousand Seven Hundred Pounds Fifteen Shillings and Eight-pence Sterling, shall pay off such Order or Orders, in the Bills of Credit aforesaid, at the Exchange of Fifty Pounds per Centum.

XXXIV. Provided always, and be it Enacted, That the Agents aforesaid shall not pay out any Monies for, or on Account of the Pay, Subsistence, Cloathing, or any other Necessaries whatever, found, provided, or advanced, for or on Account of the said Five Hundred Men, or any Part of them, except what is herein before directed to be paid to the Order of the Person or Persons aforesaid, before they shall have clear, fair and particular Accounts laid before them by the said Officers, and the said Doctor David Ross, of the Application and Disbursements of the said Sums of Money, so as aforesaid to them respectively advanced by his Excellency General Forbes, and of all their Claims of every Kind whatsoever against this Province, on Account of the said Five Hundred Men, and shall carefully have inspected, examined and adjusted, such Claims and Accounts, agreeable to the Wages, Rates and Allowances, given and made by the Act of Assembly, by which the said Five Hundred Men were taken into the Pay of this Province; nor shall the said Agents pay to the said Officers, or any of the said Men, or the said Doctor David Ross, any greater or larger Sum or Sums of Money, than shall or may appear to be due to them respectively, deducting p. 226 the said Sums so advanced by General Forbes as aforesaid, out of their respective Claims aforesaid, after being adjusted as aforesaid.

XXXV. And the said Agents are hereby impowered, by Order of his Excellency Horatio Sharpe, Esq; or the Governor or Commander in Chief of this Province, for the Time being, as the same may become wanting for the Purposes for which they are intended by this Act, to call for, demand and receive, from the Commissioners or Trustees for Emitting Bills of Credit, established by Act of Assembly, any Part of the said Six Thousand Eight Hundred and Fourteen Pounds, or any Part of the said Twenty-six Thousand Seven Hundred and Fifty Pounds, as also any other Sum or Sums of Money which they are directed to pay, lay out, or expend, by Virtue of this Act, and lay out and apply the same for the Purposes for which they are respectively by this Act intended; which said

Sums of Money, or any Part thereof, the said Commissioners or Trustees shall, and they are hereby obliged and required, immediately on Demand, and such Order being produced, to pay the said Agents, and regular Accounts thereof keep; and the Receipts of the said Agents, or either of them, in Case of Sickness or Inability of the other, shall be, for the said Payments, good and sufficient Vouchers.

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XXXVI. And be it further Enacted, That before the said Agents, or either of them, enter upon any Part of his or their Duty in Virtue of this Act, or shall receive any Money by this Act appointed to be paid to them, they and each of them shall take the several Oaths, directed and appointed by Act of Assembly to be taken to the Government, subscribe the Oath of Abjuration, and repeat and subscribe the Test, before some Justice of the Peace, who is hereby empowered to administer the same; and shall enter into Bond before Two Provincial Magistrates, with good and sufficient Securities, jointly and severally, to the Right Honourable the Lord Proprietary of this Province, each in the Sum of Six Thousand Pounds Current Money, with Condition to the said Bond in the following Form, viz. "The Condition of the above Obligation is such, That if the said

shall and do at all Times, so long as he shall continue in the Office of Agent, for the Purposes mentioned and directed in the Act of Assembly, entituled, An Act for Granting a Supply of Sixty Thousand Pounds for his Majesty's Service, and for Defraying the Expences heretofore incurred for the Defence and Security of the Frontier Inhabitants of this Province, and for other Purposes therein mentioned, well and faithfully perform and execute the Duty and Trust reposed in him by the said Act, and do, from Time to Time, render to the General Assembly of this Province, true, just, regular and perfect Accounts of his Transactions and Proceedings in Virtue of the same Act, and of the several and respective Sums of Money by him received from the Commissioners or Trustees for Emitting the Bills of Credit, established by Act of Assembly, and how and for what Particulars the same are laid out and disposed of, as the General Assembly of this Province shall direct, then the said Obligation to be void, else to be and remain in full Force and Virtue."

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XXXVII. And be it further Enacted, That in Case of the Death of the said Agents, or either of them, or their or either of their Refusal to execute the Trust aforesaid, that then and in every such Case, it shall and may be lawful to and for the said Horatio Sharpe, Esq; or the Governor or Commander in Chief of this Province, for the Time being, by Warrant under his Hand, to appoint one or more fit Person or Persons to be Agent or Agents, in the Stead of such Agent or Agents so dying or refusing as aforesaid, who shall have all the Powers and Authorities by this Act given to the Agents

L. H. J. before nominated and appointed, having first given Bond and
 Liber No. 51 Qualified as before directed; which Bond shall be proved, recorded,
 April 8 transmitted and kept as aforesaid; and an attested Copy thereof as
 aforesaid, shall be Evidence as aforesaid.

XXXVIII. And be it further Enacted, That the said Agents shall, and they are hereby directed and required to keep fair, distinct and regular Accounts of all such Sums of Money as they shall receive in Virtue of this Act, and how the same have been paid, applied and expended; and the same shall deliver in compleat and upon Oath, on or before the Third Day of every Session, to the General Assembly of this Province. And the said Agents, for their Trouble in executing and performing their Duty by this Act required, shall and may retain in their Hands a Commission of One Pound Five Shillings per Cent, and no more, on all such Sums of Money as they shall receive, apply and expend, as aforesaid.

XXXIX. And whereas it is just and reasonable, that the several Persons who have been burthened with the Expense of Quartering those of his Majesty's Troops that have been ordered into this Province for Winter-Quarters, should be speedily paid their reasonable Claims:

p. 228 XL. Be it therefore Enacted, That a Sum not exceeding Three Thousand Pounds, out of the Sum of Sixty Thousand Pounds, granted as aforesaid, be applied to the discharging the reasonable Claims of such Persons as have been burthened with the Expence of Quartering as aforesaid, which shall be laid before and allowed by the Lower House of Assembly of this Province.

XLI. And whereas many of the Inhabitants of this Province have marched from several of the Counties of this Province to the Frontiers thereof, since the March of General Braddock from Frederick-Town in Frederick County, for the Protection of the Frontier Inhabitants, and Garrisoning his Majesty's Forts in this Province: And whereas also several of the Inhabitants of this Province have been put to great Expences in supplying and conveying Provisions and other Necessaries for the Use of the said Men: And it is thought proper, at this Time, that those Persons who have marched to the Frontiers, for the Purposes aforesaid, should be paid for their Services, and that those who have been put to Expences in supplying and carrying Provisions, and other Necessaries, for the Use of the said Men, should be paid and satisfied for the same:

XLII. Be it therefore Enacted, That a Sum not exceeding Six Thousand Pounds, or so much thereof as may be necessary, out of the Sum of Sixty Thousand Pounds, granted as aforesaid, be applied to the discharging the reasonable Claims of such Persons as have marched to the Frontiers for the Purposes aforesaid, or been put to Expences in supplying and carrying Provisions, or other

Necessaries, for the Use of the Men aforesaid, which shall be laid before the Lower House of Assembly within Twelve Months from the End of this Session, and allowed by the Lower House.

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XLIII. And whereas it is represented to this General Assembly, that it will be for his Majesty's Service, that there should be a good Waggon Road cleared through this Province from Fort Frederick to Fort Cumberland:

XLIV. Be it therefore Enacted, That the Sum of Two Hundred and Fifty Pounds, or so much thereof as may be necessary, shall be applied to the defraying the Expence of cutting and making the said Road: And the Agents herein beforementioned, shall be and are hereby enabled to contract with some Person or Persons to cut, p. 229 clear, and make a good Waggon Road from Fort Frederick to Fort Cumberland, thro' the Grounds most convenient in the Judgment of the said Agents, and to make what Bridges and Causeways may be necessary on the said Road for the Conveniency of Waggons, for any Sum not exceeding Two Hundred and Fifty Pounds; and upon the said Road's being compleated, agreeable to such Contract, to pay the Sum contracted for to the Contractor or Contractors, or their Order: And the Person or Persons who shall contract for the cutting, clearing, and making the said Road, are hereby authorized to cut and clear the same, and cut down any Wood or Timber, other than such as is fit for Clapboards, that may be necessary for building Bridges and making Causeways as aforesaid, and they are hereby indemnified for so doing.

XLV. And for repaying and replacing the said Sums of Two Thousand Pounds, and Nine Thousand Pounds in the Loan-Office as aforesaid, and for drawing into the said Office the Sum of Forty-nine Thousand Pounds, to be sunk and destroyed as aforesaid, Be it Enacted, by the Authority, Advice, and Consent aforesaid, That all and every Person or Persons within this Province respectively, having any Estate in ready Money or Plate, or having any Estate in Goods, Wares, or Merchandizes, or other Chattels, or Personal Estate whatsoever (Debts, Household Goods, Implements, and Tools of Husbandry, and Tools of manual Occupation, excepted) within this Province, belonging to or in Trust for them, shall yield and pay, for two Years successively, to the respective Collectors appointed by this Act, the Sum of Two Shillings in the Pound, according to the true yearly Value thereof; That is to say, For every One Hundred Pounds of such ready Money, and for every One Hundred Pounds Worth of such Plate, Goods, Wares, Merchandizes, or other Chattels, or Personal Estate as aforesaid, as the same would, in the Estimation or Judgment of the Assessors herein after to be nominated and appointed, sell for in ready Money, the Sum of Ten Shillings for each Year, and so after that Rate for every greater or lesser Sum or Quantity, to be assessed, levied, and

L. H. J. collected, in Manner herein after mentioned; and that all and every
 Liber No. 51 Person or Persons, and all and every Commissioner or Commis-
 April 8 sioners within this Province, having, using or exercising any Public
 p. 230 Office, Benefice, or Employment of Profit, within this Province,
 and all and every of their Clerks, Agents, Substitutes, Deputies, and
 other inferior Ministers whatsoever (hired Clerks who do not act by
 Commission, in respect of the Wages they receive for their Hire
 only, and such Military Officers who shall be in Pay in his Majesty's
 Army, or in the Pay of this Province, in respect of such Officers
 only, excepted) shall yield and pay, for two Years successively, to
 the respective Collectors aforesaid, the Sum of Two Shillings for
 every Twenty Shillings, or the Value thereof in any Species or Com-
 modities whatsoever, which he or they do receive in one Year, by
 Virtue of any Salaries, Gratuities, Rewards, Fees, Profits, Per-
 quisites, and Advantages whatsoever, to him or them accruing, for
 or by Reason or Occasion of such their several Offices, Benefices,
 or Employments; and all and every Person or Persons within this
 Province, having any Annuity, Pension, Stipend, or other yearly
 Payment, payable or secured to be paid by any Person or Persons
 whatsoever in this Province (not being or issuing out of any Lands,
 Tenements, and Hereditaments, or chargeable upon the same, touch-
 ing which other Directions are given by this Act) shall yield and pay,
 for two Years successively, unto the respective Collectors aforesaid,
 the Sum of Two Shillings for every Twenty Shillings, or the Value
 thereof in any Species or Commodities whatsoever, which he, she,
 or they, do receive in one Year, by Virtue of every such Annuity,
 Pension, Stipend, or yearly Payment respectively; the said several
 Rates and Sums of Money, to be assessed, imposed, levied and
 collected, in such Manner as hereafter is mentioned. And that every
 Person practising Law or Physic, every hired Clerk acting without
 Commission, and all and every Factor, Agent, or Manager, trading
 or using Commerce within this Province, shall yield and pay, for
 two Years successively, unto the respective Collectors aforesaid, the
 Sum of Eighteen Pence in every Twenty Shillings, or the Value
 thereof in any Species or Commodities whatsoever, which he or they
 do receive in one Year, by Virtue of his or their Practice, or by
 any Wages, Rewards, Fees, Profits, Commissions, or Advantages
 whatsoever, to him or them accruing, for or by Reason or Occasion
 of their several Professions, Clerkships, Employments, or Factorage,
 for one Year; to be assessed, levied, and collected, in such Manner
 as hereafter is mentioned.

p. 231 XLVI. And whereas great Part of the Lands in this Province
 is uncultivated, by Reason whereof the same is of no present annual
 Value to the Owners and Proprietors thereof, tho' the Fee-Simple
 of the same would sell for very considerable Sums of Money, and
 such Lands are therefore intended by this Act to be charged with

a Pound-Rate, in the same Manner that cultivated and improved Lands are:

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XLVII. Be it therefore Enacted and Declared by the Authority aforesaid, That all and every the Messuages, Manors, Lands, and Tenements, and also all Mines of Lead, Copper, Iron, and other Mines, Furnaces, Forges, and other Iron-Works, Tolls, Annuities, and other yearly Profits, and all Hereditaments, of what Nature or Kind soever they be, situate, lying and being, within this Province, shall be and are hereby charged, for Two Years successively, with the Sum of Two Shillings for every Twenty Shillings of the yearly Value, and so after that Rate for every greater or lesser Value; and that such yearly Value shall be settled and ascertained by the Assessors hereafter mentioned, after the Rate of Two Shillings for every Twenty Shillings that the Fee-Simple of the said Messuages, Manors, Lands, Tenements, and other the Premisses, would, in the Estimation or Judgment of the Assessors aforesaid, sell for in ready Money; That is to say, For every One Hundred Pounds that the Fee-Simple of the said Messuages, Manors, Lands, Tenements, and other the Premisses, in the Estimation or Judgment of the said Assessors, would sell for in ready Money, they shall be charged with the Sum of Ten Shillings, and so after that Rate for every greater or lesser Sum; and that all and every such Person or Persons, having or holding any Messuages, Manors, Lands, Tenements, Hereditaments, or any other the said Premisses, shall yield and pay, for Two Years successively, to the respective Collectors appointed by this Act, the Sum of Two Shillings for every Twenty Shillings of the yearly Value of the said Messuages, Manors, Lands, Tenements, and Hereditaments, and other the Premisses, to be settled and ascertained as aforesaid; which said Sums of Two Shillings for every Twenty Shillings of the yearly Value, to be settled and ascertained as aforesaid, shall be assessed, levied, and collected, in such Manner as is hereafter mentioned. Provided always, and it is hereby declared, That nothing herein contained shall be construed to extend to those unhappy People, who have been, or shall hereafter be, obliged to desert their Settlements through Danger from the French, or their Indian Allies, so far as the same relates to the Rates and Assessments on the Messuages, Lands, Tenements, or Hereditaments, which have been, or hereafter shall be, deserted, but that they shall be exempted and discharged from the Payment of any such Rates or Assessments, on such Lands, Tenements, or Hereditaments, in Virtue of this Act.

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XLVIII. And whereas many of the Messuages, Manors, Lands, Tenements, Hereditaments, and Premises, in this Province, intended by this Act to be charged with the Pound-Rate as aforesaid, stand incumbered with, and are subject and liable to the Payment of several Rents, Annuities, or other annual Payments, issuing out

L. H. J. of the same, or to the Payment of Rents thereupon reserved or charged, by Reason whereof the Owners, Occupiers and Proprietors of such Messuages, Manors, Lands, Tenements, and Hereditaments, do not in Truth receive to their own Use the true yearly Value of the same, for which, nevertheless, they are by this Act chargeable with a Pound-Rate; It is therefore Enacted and Declared by the Authority aforesaid, That it shall and may be lawful to and for the Owners, Occupiers and Proprietors of such Messuages, Manors, Lands, Tenements, Hereditaments, and other the Premisses, within this Province, being charged with a Pound-Rate as aforesaid, to abate, deduct, and to retain and keep in his, her or their Hands, out of every such Rent or other annual Payment, so much of the said Pound-Rate as shall be taxed or assessed upon the said Messuages, Manors, Lands, Tenements, Hereditaments, and Premisses, as a like Pound-Rate for every such Rent or other annual Payment respectively, shall, by a just Proportion, amount unto; That is to say, Out of every Twenty Shillings of such Rent, Annuity, or other annual Payment, the Sum of Two Shillings, and so after that Rate for a greater or lesser Sum; and all and every Person or Persons, who are or shall be any Ways entitled to such Rents or annual Payments, their respective Agents, Receivers, and Deputies, are hereby required to allow such Deduction and Payments, according to such Rates, or the full Value thereof, upon the Receipt of the Residue of such Monies or other Species, in which such Rent as aforesaid may be reserved or charged, as shall be due and payable to them for such Rents or annual Payments reserved or charged as aforesaid. Provided always, That the said Owners, Occupiers and Proprietors, shall not be allowed to abate, deduct, retain, or keep, in his or their own Hands, out of such Rent or other annual Payment, any greater or larger Sum or Sums than what he shall be taxed or assessed for the same.

XLIX. And be it further Enacted, That if the Person or Persons, who are or shall be entitled to such Rates or other annual Payments, their respective Agents, Receivers, or Deputies, shall distrain for, molest or vex, any Proprietor, Owner or Tenant of such Lands or Tenements aforesaid, for any Sum or Sums of Money, or other Species, in which Rent may be reserved or charged, which, by the true Intent and Meaning of this Act, ought to be retained, deducted and allowed, or shall refuse, neglect or delay, to allow and discharge the same in the proper Accounts, wherein the same ought to be allowed or discharged, that then, and for every such Offence, every such Person as aforesaid, shall forfeit the Sum of Twenty Pounds Current Money to the Party grieved, to be recovered by Action of Debt, or on the Case, with full Costs. Provided always, and it is hereby Enacted and Declared, That the Tenants or Occupiers of any Messuages, Manors, Lands, Tenements, Hereditaments, or other the

Premisses, within this Province, who hold the same by Parole Lease only, or as Tenants at Will, or by Lease in Writing for any Term under Seven Years, shall not be chargeable with any Pound-Rate for the same, but that the respective Lessors of such Messuages, Manors, Lands, Tenements, and other the Premisses, shall be chargeable with the said Pound-Rate; and that the same shall be assessed, levied and collected from the respective Lessors, in the same Manner as it would have been if no such Lease or Demise had been made.

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L. And be it further Enacted, That all and every Person or Persons within this Province, being indebted at the Time he, she, or they, shall be assessed as aforesaid, by Judgment, Mortgage, Bond, Bill, Note, Agreement, Book-Debt, or by any other Ways or Means, in any Sum or Sums of Money or Tobacco, or any Commodity whatever, and their Heirs, Executors, and Administrators, shall, for the better enabling him, her, or them, to pay and bear the Rates and Assessments herein before respectively imposed upon him, her, or them, be allowed, by Virtue of this Act, after the Rate p. 234 of Ten Shillings for every One Hundred Pounds of all such Sum or Sums of Money, or the Value thereof in Tobacco, or any Commodity whatever, which he, she, or they, shall be so indebted at the Time he, she, or they, respectively shall be assessed, by his, her, or their respective Creditor or Creditors, out of the said Debts, so as aforesaid by him, her, or them, owing as aforesaid, and may and are hereby enabled to deduct, retain and discount the same; any Agreement, Bond, Condition, Provision, or other Obligation, to the contrary in any wise notwithstanding. And all and every Person or Persons, who are or shall be any Ways entitled to such Money, Tobacco, or Commodities, are hereby required to allow such Deductions, upon the Receipt of the Residue of such Money, Tobacco, or Commodities, as shall be due and payable to them as aforesaid: And if such Creditor shall at any Time accept or receive from such Debtor, Part of such his Debt or Claim, he shall and is hereby obliged, at the Time of such Receipt, to make and allow to such his Debtor, a proportionable Deduction thereon. And the said Debtors and their Heirs, Executors and Administrators, are hereby saved harmless from any further Payment of the said Money, Tobacco, or other Commodities, so as aforesaid to be deducted, as fully and amply as if the same had been paid to such Creditor, or other Person, to whom the same would otherwise have been due and payable.

LI. And be it further Enacted, That if any Creditor or Creditors, or his or their Executors or Administrators, who are or shall be entitled to such Money, Tobacco, or other Commodity whatever, or their respective Agents, Receivers, or Attornies, shall refuse, neglect or delay, to allow and discharge the said Money, Tobacco, or other Commodity, so as aforesaid to be deducted in the proper Account in which the same ought to be allowed and deducted, that then and

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for every such Offence, every such Person as aforesaid, shall suffer and be liable to the same Pains and Penalties, as in Case of excessive Usury, to be recovered in the same Manner, and to be applied as herein after directed.

LII. And whereas considerable Quantities of ready Money, Plate, Goods, Wares, Merchandizes, and other personal Estate (Debts, Household Goods, Implements and Tools of Husbandry, and Tools of manual Occupation, excepted) Messuages, Manors, Lands, and Tenements, Mines of Lead, Copper, Iron, and other Mines, Furnaces, Forges, and other Iron-Works, Tolls, Annuities, and other yearly Profits and Hereditaments, within this Province, do and may belong to Persons residing without the same, either as their sole Property or in Company with others; and as it is equitable, that, towards the Defence and Security thereof, the same should be rated and assessed equally with the Property of Persons residing within this Province: Be it therefore Enacted, by the Authority aforesaid, That all such ready Money, Plate, Goods, Wares, Merchandizes, and other personal Estate (except as before excepted) Messuages, Manors, Lands, and Tenements, and other the Premisses aforesaid, shall be charged with a Pound-Rate as herein before directed, in the same Manner as they might or ought to be charged by Virtue of this Act, in Case the same were the Property of any Person or Persons residing within this Province: And all and every the Assessors, directed to be nominated and appointed by this Act, shall, and they are hereby required to inform themselves by all lawful Ways and Means of the Names and Sir-Names of all and every the Factors, Attorneys, Agents, Store-Keepers, or Managers of all and every the said Person or Persons residing without this Province, having or holding any ready Money, Plate, Goods, Wares, Merchandizes, or other personal Estate (except as before excepted) Messuages, Manors, Lands, or Tenements, Mines of Lead, Copper, Iron, and other Mines, Furnaces, Forges, and other Iron-Works, Tolls, Annuities, or other yearly Profits or Hereditaments, being or lying within the District or Division with which they are charged, and shall proceed to assess all and every such Factor, Attorney, Agent, Store-Keeper, or Manager, for such ready Money, Plate, Goods, Wares, Merchandizes, and other personal Estate (except as before excepted) Messuages, Manors, Lands, Tenements, and other the Premisses, as shall be committed to his Care and Management, in the same Manner and Proportion, and in all Respects act and do therein, as if the said ready Money, Plate, Goods, Wares, Merchandizes, and other personal Estate (except as before excepted) Messuages, Manors, Lands, Tenements, and other the Premisses, were the Property of such Factor, Attorney, Agents, Store-Keeper, or Manager; and the several and respective Collectors by this Act appointed, shall, and they are hereby impowered to demand,

levy, and collect in the Manner herein after directed, of and from every such Factor, Attorney, Agent, Store-Keeper, or Manager, all such Rates and Sums of Money as shall be assessed thereon. Provided always, and be it Enacted, That where any Person or Persons residing out of this Province, and having or holding any Messuages, Lands, and Tenements, within the same, shall have no Factor, Attorney, Agent, or Manager, dwelling or residing within this Province, that then and in every such Case, the Tenants and Occupiers of all such Messuages, Lands, and Tenements, who hold the same either by Parole Lease, or as Tenants at Will, or by Lease in Writing for a Term of Years, shall be chargeable with the Pound-Rate for the same; any Thing in this Act to the contrary notwithstanding.

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LIII. And whereas all the Messuages, Manors, Lands, Tenements, Hereditaments, and Premisses, intended by this Act to be charged with the Pound-Rate as aforesaid (his Lordship's Manors and reserved Lands excepted) are subject and liable to the Payment of a Quit-Rent to the Right Honourable the Lord Proprietary of this Province; and whereas the Manors or Lands laid out for or reserved, and which are leased out by the said Lord Proprietary, and intended by this Act to be charged with the Pound-Rate, are subject and liable to the Payment of a Rent or Rents thereupon reserved, by Reason whereof the respective Tenants and Occupiers of the said Manors or Lands, do not in Truth receive to their own Use the true yearly Value of the same, for which, nevertheless, they are by this Act chargeable with the Pound-Rate; It is therefore Enacted and Declared by the Authority aforesaid, That it shall and may be lawful to and for the Proprietors and Owners of such Messuages, Manors, Lands, Tenements, Hereditaments, and Premisses, subject and liable to the Payment of a Quit-Rent as aforesaid, being charged with a Pound-Rate as aforesaid, to abate and deduct, and to retain and keep, in his, her or their own Hands, out of every such Quit-Rent, so much of the said Pound-Rate as shall be taxed or assessed upon the said Messuages, Manors, Lands, Tenements, Hereditaments, and Premisses, as a like Rate for every such Quit-Rent respectively, shall, by a just Proportion, amount unto; That is to say, Out of every Twenty Shillings of the said Quit-Rent, the Sum of Two Shillings, and so after that Rate for every greater or lesser Sum; and his said Lordship's Agent or Receiver-General, and all and every Person or Persons, who are or shall be any Ways impowered to receive the said Quit-Rent for the Use of the said Lord Proprietary, are hereby required to allow such Deduction and Payment, according to such Rates, upon the Receipt of the Residue of such Monies, as shall be due and payable to them for such Quit-Rent.

LIV. And whereas, for the Support of the common Cause against his Majesty's Enemies, and the Defence and Security of this Prov-

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L. H. J. ince, it is reasonable and just, that the Right Honourable the Lord
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 April 8 Proprietary his Estate, should be taxed, in equal Proportion with the Estates of the good People thereof: And whereas, by this Act, all the Lands of all his Majesty's Subjects, as well unimproved as improved, uncultivated as cultivated, are charged with a Pound-Rate for the Purposes aforesaid: Be it therefore Enacted, by the Authority, Advice and Consent aforesaid, That all Manors belonging to, and Lands reserved for, his said Lordship, shall be liable and subject to the Pound-Rate aforesaid, to be ascertained as aforesaid. Provided always, and be it also Enacted, That every Tenant, Occupier, or Possessor of, or any Person having Right to, any Part or Parcel of the said Manors or reserved Lands, shall be rated and assessed for the Part or Parcel of the said Manors, or reserved Lands, by him or her held, occupied or possessed, or to which he or she has Right, in the same Manner, and at the same Rate, as if the same were actually his or her Estate in Fee-Simple: And his said Lordship's Agent, or Receiver-General, for the Time being, is hereby obliged, under the Penalty of Two Hundred Pounds Current Money, to be recovered and applies as hereafter directed, to make out for the Commissioners, by this Act appointed, of the respective Counties wherein any of his Lordship's Manors or reserved Lands do lie, Accounts, according to the best Information he has, of the whole Quantity of Acres contained in such Manors and reserved Lands respectively, and also particular Accounts of all and every the Parts and Parcels of the said Manors and reserved Lands, which at the Time aforesaid, shall be under the Tenure, Occupation, or Possession of any Person or Persons, with the Names of the said Tenants, Occupiers, or Possessors, and shall inclose the same under Covers, indorsed for his Lordship's Service, directed to the said Commissioners respectively, and the same shall deliver to the Sheriff of the County, where the said Agent shall reside, on or before the last Day of August next: And for the Services by this Act required of the said Agent, he shall be paid by the Commissioners or Trustees aforesaid, the Sum of Ten Pounds Current Money; and the several Sheriffs are hereby required to forward the same as Public Letters are directed by Law to be forwarded: Which said Accounts, the said Commissioners are hereby required to deliver to the proper Assessors, at the Time of their Qualifications, as herein after directed. And for the Residue and Remainder of the said Manors and reserved Lands, the said Assessors shall asses the said Agent or Receiver-General with the Pound-Rate aforesaid, and all such Sums of Money as the said Agent or Receiver-General shall be obliged to pay, by Virtue of this Act, he shall retain in his Hands, out of any Monies which he shall or may have in his Hands belonging to the said Lord Proprietary.

LIV. And it is hereby further Enacted, That it shall and may be lawful for all and every the respective Tenants, who hold by Lease

or Demise, any Part or Parcel of his said Lordship's Manors, or reserved or other Lands, within this Province, being charged with a Pound-Rate as aforesaid, to abate and deduct, and to retain and keep in his, her or their own Hands, out of every such Rent reserved, so much of the said Pound-Rate as shall be taxed upon the said Lands, to him or them respectively demised, as a like Rate for every such Rent respectively, shall, by a just Proportion, amount unto; That is to say, Out of every Twenty Shillings of the said Rent, the Sum of Two Shillings, and so after that Rate for every greater or lesser Sum: And his said Lordship's Receiver-General, and all and every other Person and Persons, who are or shall be any ways impowered to receive the said reserved Rent for the Use of the said Lord Proprietary, are hereby required to allow all such Deductions and Payments according to such Rates, upon the Receipt of the Residue of such Monies as shall be due and payable to them for such reserved Rent. Provided always, That the said Tenants shall not be allowed to abate, deduct, retain or keep, in his, her, or their own Hands, out of such Rent, any greater or larger Sum or Sums, than what he, she or they, shall be taxed or assessed for the same.

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LV. And be it further Enacted, That if his Lordship's Agent or Receiver-General, or any Person or Persons who are or shall be impowered to receive or collect the said Quit-Rents, or other annual Rents reserved, on such leased or demised Lands, shall distrain for, molest or vex, any Proprietor, Owner or Tenant of such Lands or p. 239 Tenements as aforesaid, for any Sum or Sums of Money, which, by the true Intent and Meaning of this Act, ought to be retained, deducted and allowed, or shall refuse, neglect or delay, to allow and discharge the same in the proper Accounts, wherein the same ought to be allowed or discharged, that then and for every such Offence, every such Agent or Receiver-General, or Person as aforesaid, shall forfeit the Sum of Twenty Pounds Current Money to the Party grieved, to be recovered by Action of Debt, or on the Case, with full Costs.

LVI. And be it further Enacted, by the Authority aforesaid, That for the better assessing, ordering, levying, and collecting of the several Sums of Money, so as aforesaid limited and appointed to be paid, and for the more effectual putting this Act into Execution, the following Persons, in and for the several and respective Counties hereafter named, shall be Commissioners for putting this Act in Execution; That is to say,

For Saint Mary's County, Col. Abraham Barnes, Major Zachariah Bond, Mr. John Chesley.

For Kent County, Mr. Thomas Smith, Mr. James Mac Lean, Mr. William Rasin.

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For Anne-Arundel County, Mr. Thomas Sprigg, Mr. Philemon Dorsey, Mr. Henry Hall.

For Calvert County, Mr. James Somervell, Mr. David Arnold, Mr. Charles Grahame.

For Charles County, Mr. Bayne Smallwood, Mr. Samuel Hanson, Mr. Robert Horner.

For Somerset County, Capt. Henry Lowes, Mr. Arnold Elzey, junior, Capt. Thomas Gillis.

For Talbot County, Mr. William Thomas, Mr. Richard Gibson, Mr. Robert Harwood.

For Dorchester County, Mr. Edward Trippe, Mr. Henry Steele, Capt. Jacob Patterson.

For Baltimore County, Mr. John Paca, Major Thomas Franklin, Mr. Joseph Taylor.

For Cæcil County, Mr. John Vezey, senior, Col. Nicholas Hyland, Mr. John Mackie.

For Prince-George's County, Capt. Joseph Belt, Mr. Thomas Williams, Major Francis Waring.

For Queen-Anne's County, Mr. Nathan Wright the Elder, Mr. Richard Tilghman Earle, Mr. Thomas Emory.

For Worcester County, Captain Adam Spence, Captain Thomas Handy, Captain John Selby.

For Frederick County, Mr. Samuel Richardson, Mr. Nathan Magruder, and Mr. Peter Bambridge.

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LVII. Which said Commissioners, so as aforesaid nominated and appointed, shall meet together at the Court-House of each respective County for which they are appointed Commissioners as aforesaid, on the second Day of October next, or on the Day following, and afterwards as often as it shall be necessary for putting so much of this Act in Execution, as is hereby committed to their Care and Charge, and so yearly for Three Years if Occasion be; and the said Commissioners, or any Two of them, at their said yearly Meetings, shall divide their respective Counties by Hundreds, into as many Districts or Divisions as they shall think most proper and convenient for making the Assessments hereby directed; and after such Division made, shall also at their said yearly Meetings, by Warrants under their Hands and Seals, nominate and appoint Two able and skillful Freeholders and Inhabitants of each respective District or Division in their said Counties (neither of them being a Member of either House of Assembly of this Province, or Person practising Law or Physicks, a Provincial or County Magistrate, Clergyman, Sheriff, Coroner, Clerk of the Provincial or County Courts, Ordinary-Keeper, Mariner, or an Inspector) to be Assessors of all the Rates and Sums of Money by this Act imposed;

and after such Nomination and Appointment, the said Commissioners shall enter in a Book, to be kept by them for that Purpose, the Names of the Persons nominated and appointed Assessors, and for what District or Division, within their respective Counties.

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LVIII. And be it further Enacted, That the said Commissioners shall immediately after the Nomination and Appointment of the said Assessors, appoint and prefix a certain Day and Place, not exceeding Ten Days after the said Nomination and Appointment, of which Day Notice shall be given by the said Commissioners to each Assessor within Five Days after such Nomination and Appointment, for the said Assessors to appear before them, and at such their Appearance, the said Commissioners, or any Two of them, shall openly read or cause to be read, the several Rates and Assessments in this Act mentioned, and openly declare to them how and in what Manner they ought to make their said Assessments, and in what Form their Certificates are to be returned, and how they ought to proceed in the Execution of this Act, according to the true Meaning of the same: And after such Charge given as aforesaid, the said Commissioners shall also appoint and prefix a certain Day and Place, not less than Seven Weeks, or more than Two Months next after such Charge given, for the said Assessors to appear before them, and bring in their Assessments in Writing; and the said Assessors are hereby required and enjoined to inform themselves, by all lawful Ways and Means, of the Names and Sir-Names of every Person dwelling or residing in the District or Division with which they are respectively charged, and of the ready Money, Plate, Goods, Chattels, and Personal Estate (Debts, Household Goods, Implements, and Tools of Husbandry, and Tools of manual Occupation, excepted) of every of them, and of the Names and Sir-Names of every Person dwelling in the said District or Division, practising the Law or Physic, Trading, Merchandizing, or using Commerce, as Factor or Agent for any Person or Persons, or acting as hired Clerks without Commission, and of what they respectively make in One Year by their said Practice or Factorage, Trade, Merchandise, Commerce, or Wages, and of the Public Offices, Benefices and Employments, and of the Annuities and Pensions of them and every of them, and of the yearly Value of all Messuages, Manors, Lands and Tenements, Mines of Tin, Lead, Iron and other Mines, Furnaces, Forges and other Iron-Works, Tolls, or other Hereditaments, of what Nature or Kind soever, situate, lying or being within the said District or Division, with which they are charged, to be settled and ascertained as herein before directed; and being so thereof ascertained, they are to assess all and every the said Persons, dwelling and residing in the said District or Division with which they are charged, for every One Hundred Pounds of such ready Money, and for every One Hundred Pounds Worth of such Plate, Goods, Wares,

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L. H. J. or Merchandizes, or other Chattels or Personal Estate (except as before excepted) the Sum of Ten Shillings in Bills of Credit, and so after that Rate for every greater or lesser Sum, or Quantity; and also all and every Person having or holding any Public Office, Benefice or Employment of Profit, within this Province, the Sum of Two Shillings for every Twenty Shillings, or the Value thereof in any other Specie or Commodity, which he or they do receive in One Year, by Virtue of any Salaries, Gratuities, Rewards, Fees, Profits, Perquisites and Advantages whatsoever, to him or them accruing, by Reason or Occasion of such their several Offices, Benefices or Employments; and also all and every Person for every such Annuity, Pension, Stipend or other yearly Payment, payable or secured to be paid by any Person whatsoever within this Province (not being or issuing out of any Lands, Tenements or Hereditaments, or chargeable upon the same) the Sum of Two Shillings for every Twenty Shillings by the Year, for every such Annuity, Pension, Stipend, or yearly Payment respectively; and also for all and every such Messuages, Manors, Lands and Tenements; and also for all such Mines of Lead, Copper, Iron and other Mines, Furnaces, Forges and other Mines, Furnaces, Forges and other Iron-Works, Tolls, and other yearly Profits, and all Hereditaments, of what Nature or Kind they be, situate, lying and being within the said District or Division, with which they are charged, the Sum of Two Shillings for every Twenty Shillings of the yearly Value, to be settled and ascertained as aforesaid, and so after that Rate for every greater or lesser yearly Value; and also all and every Person or Persons, dwelling or residing in the District or Division with which they are charged, practising Law or Physic, acting as hired Clerks without Commissions, or Trading, Merchandizing, or using Commerce, as Factor, Agent or Manager, for any Person or Persons as aforesaid, within this Province, for every Hundred Pounds, or the Value thereof of such Fees, Wages, Rewards, Profits, or Advantages whatsoever, to him or them accruing, for or by Reason or Occasion of such their Professions, Practice, Employments, or Merchandizing, as aforesaid, for one Year, the Sum of Seven Pounds Ten Shillings, and so after that Rate for every greater or lesser Sum, or Quantity, or the Value thereof; and to bring with them, at the Time and Place so prefixed for their Appearance, a Certificate in Writing of the said Assessment, wherein shall be inserted the Names and Sir-Names of every Person dwelling and residing in the said District or Division, and the Value of the Money, Plate, Goods, Chattels, and Personal Estate (except as before excepted) of every of them, and the Sum of Money assessed thereon, and the yearly Value of each public Office, Benefice, or Employment of Profit, enjoyed by every of them, within this Province, at the Time of taking the said Assessment, and the Sum of Money assessed thereon, and the yearly

Value of every Annuity, Pension, Stipend, or other yearly Sum, payable or secured to be paid as aforesaid, to every of them, within this Province, at the Time of taking the said Assessment, and the Sum of Money assessed thereon; and also the yearly Value of all and every the Messuages, Manors, Lands, and Tenements, Mines of Copper, Lead, and Iron and other Mines, Furnaces, Forges and other Iron-Works, Tolls and Hereditaments, of what Nature or Kind they be, situate, lying and being, in the said District or Division, with which they are charged as aforesaid, and every of them, as the same are valued at, to be settled after the Rate of Two Shillings for every Twenty Shillings that the Fee-Simple of the said Messuages, Manors, Lands, Tenements, and other the Premises, woudl, in the Estimation or Judgment of the Assessors, sell for in ready Money, at the Time of taking the said Assessment, and the Sum of Money thereon assessed; and also the Value of what all and every Person or Persons, dwelling and residing in the said District or Division with which they are charged, practising Law or Physic, or acting as hired Clerks without Commissions, or trading, merchandizing, or using Commerce as aforesaid, within this Province, and every of them, do make and receive as aforesaid in one Year, at the Time of taking the said Assessment, and the Sum of Money thereon assessed.

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LIX. And be it further Enacted, That every single Man, whose Personal Estate is not valued at the Sum of One Hundred Pounds, shall be assessed the Sum of Ten Shillings in Bills of Credit, in Lieu of all Assessments to be made on his said Personal Estate, in Virtue of this Act. Provided always, and it is hereby Enacted, That the said Assessors shall not assess any Person receiving a charitable Bounty or Allowance in the Public or County Levy in this Province; but shall nevertheless return, in their Certificates of Assessments, the Names of all such Persons.

LX. And be it further Enacted, That if any Assessor, nominated or appointed by Virtue of this Act, shall make Default at the Time appointed for his Appearance, or on his Appearance shall refuse to serve, not having a lawful Excuse, to be proved by the Oath of one credible Witness, or shall neglect to return Certificates of his said Assessment to the Commissioners as aforesaid, at the Time and Place prefixed, shall for every such Neglect, Refusal, or Default, forfeit the Sum of Twenty Pounds Current Money, to be recovered and applied as herein after directed; and the said Commissioners, or any two of them, are hereby authorized and impowered, by Warrant under their Hands and Seals, to appoint one or more Assessor or Assessors, in the Room of the Assessor or Assessors so refusing or making Default; and every Assessor, so nominated and appointed, shall be liable to the same Penalty, for every Neglect, Refusal or Default, as aforesaid, to be recovered and applied as aforesaid.

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L. H. J. And if any Assessor or Assessors, so as aforesaid nominated and
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 April 8 compleated his or their Assessment, the said Commissioners, or any
 two of them, are hereby authorized and impowered, by Warrant
 under their Hands and Seals, to nominate and appoint one or more
 Assessor or Assessors, in the Room of the said Assessor or As-
 sessor so dying. And every Assessor, so as aforesaid nominated
 and appointed, shall, before he takes upon him the Execution of the
 said Employment, take an Oath, or if a Quaker his solemn Affirma-
 tion to the Effect thereof, to be administered in these Words follow-
 ing: "You shall swear well and truly to execute the Duty of an
 Assessor, and to cause the Rates and Duties imposed by an Act,
 entituled, An Act for granting a Supply of Sixty Thousand Pounds
 for his Majesty's Service, and for defraying the Expences hereto-
 fore incurred for the Defence and Security of the Frontier In-
 habitants of this Province, and for other Purposes therein men-
 tioned, to be duly and impartially assessed, according to the best of
 your Skill and Knowledge, and therein you shall spare no Person for
 Favour or Affection, nor any Person grieve for Hatred or Ill-will." Which
 Oath any One of the Commissioners, in the County where
 the said Assessment is to be made, hath hereby Power to administer.

p. 245 LXI. And be it further Enacted, That the Receiver of the Quit-
 Rents for each County, shall make out and deliver by the Second
 Day of October next, to the Commissioners of their respective
 Counties, true and fair Accounts from their last Debt Books, of the
 Names and Quantities of Acres of every Tract or Parcel of Land
 within his said County, and to whom the same, to the best of his
 Information, belongs or ought to be charged, making a separate
 Account for each Hundred in his said County, as nearly as he can
 judge, on Pain of forfeiting Fifty Pounds Current Money; and the
 said Commissioners are hereby directed and required, under the like
 Penalty, to deliver true and fair Copies of the respective Accounts,
 so by them received, to the Assessors of each respective District or
 Division, within their respective Counties, at the Time of their
 Qualification.

LXII. And be it further Enacted, That the Collectors herein
 appointed shall pay to the Receivers, for delivering such Accounts
 as aforesaid, upon their producing Receipts from the respective
 Commissioners for the same, at any Time after the first Day
 appointed for Payment of the Rates herein imposed, the Sum of
 Forty Shillings, and no more; which said Sum shall be by the said
 Commissioners allowed to the said Collectors on Settlement of their
 respective Accounts, upon their producing to them their Receipts
 aforesaid.

LXIII. And be it further Enacted, That every Person or Persons
 that shall have any ready Money or Plate, either in his, her, or their

own Possession, or that of any other Person, for him, her, or them, shall, on Demand, give a full Account to the Assessor or Assessors of the District or Division where he, she or they shall reside, of the Weight of all such Plate, and the Sum or Sums of all such ready Money, under the Penalty of Double the Value of the Money or Plate so concealed, to be recovered and applied as herein after directed.

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LXIV. And be it further Enacted, That if any Person or Persons shall, upon Demand, refuse or delay to discover, or make known, to any Assessor, any of the Matters or Things for which by this Act such Person or Persons are directed to be assessed, then and in such Case, such Assessor shall assess such Person or Persons for such Matters or Things in such Manner as, in his Opinion and Belief, shall be just, upon the best Information such Assessor shall be able to procure, relative thereto.

LXV. And be it further Enacted, by the Authority aforesaid, That the said County Commissioners, or any Two of them, shall tax and assess every Assessor within their respective Counties, for all and singular the Matters and Things, for which, by this Act, he ought to be taxed and assessed, and all Sums assessed upon every the said Assessors, and the Assessments made and set upon the Assessors aforesaid, shall be written, levied and collected, according to the true Intent, Meaning and Directions of this Act, as to Assessments made by the said Assessors. Provided always, That no Person shall be compelled to be an Assessor of any Part of the Rates and Assessments hereby granted, in any Place or Places out of the Limits of the District or Division in which he resides. Provided likewise, and be it Enacted, That no Person shall be capable of acting as a County Commissioner or Assessor, in the Execution of this Act, or executing any of the Powers therein contained, (unless it be the Power hereby given to the said Commissioners of administering Oaths) until such Time as he shall have taken the Oaths directed and appointed to be taken to the Government by Act of Assembly of this Province, subscribed the Oath of Abjuration, and repeated and subscribed the Test, or if a Quaker affirmed to the Effect thereof, and subscribed as aforesaid; which Oaths or Affirmation, it shall and may be lawful for any One or more of the said Commissioners to administer, and he or they are hereby required to administer the same to any other of the said Commissioners, and to the said Assessors. Provided also, That all Annuities, Stipends and Pensions, payable to any Officers, in respect of their Offices, shall be taxed and assessed where such Officers are rated and assessed for their Offices, and not elsewhere: And that all Pensions, Stipends and Annuities, within this Province, not charged upon Lands, shall be charged and assessed in the District or Division where they are payable. And every Person who is or shall be rated for or in respect

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L. H. J. of and Personal Estate, to him or her any Ways belonging, shall be
 Liber No. 51 rated at such Place where he or she shall be resident at the Time of
 April 8 the Execution of this Act: And if any Person, who ought to be
 taxed in this Province by Virtue of this Act, for or in respect of
 his or her Personal Estate, shall, at the Time of his or her Assessment,
 be out of this Province, such Person shall be rated therefor in
 such Place where he or she was last abiding in this Province. Pro-
 vided, That where any Person shall have any ready Money or Plate,
 p. 247 Goods, Wares, Merchandizes, Negroes, Stock, or other Personal
 Estate, (except as before excepted) in any District or Division,
 other than that wherein he or she shall be resident, or had his or
 her last Residence, it shall be lawful to rate and assess such Person
 for such ready Money or Plate, Goods, Wares and Merchandizes,
 Negroes, Stock, or other Personal Estate, (except as before ex-
 cepted) in the District or Division where the same shall be; and
 every Person who shall be rated or assessed for or in respect of
 any Messuages, Manors, Lands or Tenements, or other the Premisses,
 according to the former Clauses of this Act, shall be rated and
 assessed in the Places where such Messuages, Manors, Lands and
 Tenements, and other the Premisses, respectively do lie, and not
 elsewhere. Provided always, That if any Person or Persons, by
 Reason of his, her or their having several Mansion-Houses or Places
 of Residence, or otherwise, shall be doubly charged for any Personal
 Estate, Offices or otherwise, by Occasion of this Act, then upon
 Certificate made by any Two or more of the aforesaid Commiss-
 ioners for the County, of his, her or their last Personal Residence,
 under their Hands and Seals, of the Sum or Sums charged upon
 him, her or them, and in what Capacity or Respect he, she or they,
 were so charged, and upon Oath made of the Truth of such
 Certificate before the Commissioners, to whom such Certificate shall
 be tendered (which Oath any One of the said Commissioners is
 hereby impowered to administer) then the Person or Persons so
 doubly charged, shall, for so much as shall be certified, be discharged
 in every other County.

LXVI. And for the better Discovery of Personal Estates, in-
 tended by this Act to be charged; Be it further Enacted by the
 Authority aforesaid, That every Housholder in this Province, shall,
 upon Demand of the Assessors of the respective Districts or Divi-
 sions, give an Account of the Names and Qualities of such Persons
 as shall sojourn or lodge in their respective Houses, under the
 Penalty of Ten Pounds Current Money, to be recovered and applied
 as herein after directed.

LXVII. And if any Person that ought to be Taxed by Virtue
 of this Act, for or in respect of his Personal Estate, shall, by chang-
 ing his Place of Residence, or by any other Fraud or Covin, escape
 from the Taxation, and not be Taxed, and the same be proved before

the Commissioners, or any Two of them, or before any Two Justices of the Peace for the County where such Person dwelleth or resideth, at any Time within Six Months next ensuing after such Tax made, every Person that shall so escape from the Taxation and Payment shall be charged, upon Proof thereof, at the double Value of so much as he should or ought to have been Taxed at by this Act.

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LXVIII. And be it further Enacted, That if any Person or Persons shall have or hold any Messuages, Manors, Lands, Tenements, or other Premisses, by this Act chargeable with a Pound-Rate, either in his own Right, or as Agent, Factor, or Manager, for another, in any other County than where he, she or they do reside, the Commissioners of the County where such Messuages, Manors, Lands, Tenements, or other the Premisses, as aforesaid, shall lie or be, shall, and they are hereby required to transmit an Account thereof, and the Sum of Money thereon assessed, to the Collector of the County, where the Owner, Possessor or Occupier, or Factor, Agent or Manager, doth or do reside (and a Duplicate of the same to the Commissioners of the said County) which Collector is hereby empowered to levy and collect the said Sum of Money, of and from every such Owner, Possessor or Occupier, or Agent, Factor or Manager, and account for and pay the same, in the same Manner, as such Collector might or ought to do in Virtue of this Act, in Case the said Messuages, Manors, Lands, Tenements, and other the Premisses, were actually lying and being in the County for which he is Collector.

LXIX. And be it further Enacted, by the Authority aforesaid, That every Papist, or reputed Papist, in this Province, being of the Age of Eighteen Years and upwards, who shall not have taken the Oaths mentioned and required to be taken by an Act made in England, in the first Year of the Reign of King William and Queen Mary, entituled, An Act for abrogating the Oaths of Supremacy and Allegiance, and appointing other Oaths, shall yield and pay Double the Sums and Rates, which, by Force and Virtue of any Clause in this Act beforementioned and contained, he or she should or ought to pay, or be charged with, to be assessed, levied, collected, answered and paid, in such Manner, by such Ways and Means, and according to such Rules and Directions, and under such Penalties and Forfeitures, as are in this Act expressed or appointed, for and concerning the abovementioned Rates and Sums. Provided nevertheless, That if any such Papist, or reputed Papist, within Forty Days next after the first Meeting of the said Commissioners, in the respective Counties where he or they ought to be taxed or assessed, according to the Intent of this present Act, shall take the said Oaths before any one or more of the said Commissioners (which Oaths the said Commissioners, or either of them, are impowered to ad-

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L. H. J. minister) in that Case, he or they shall not be liable to be doubly
 Liber No. 51 assessed as aforesaid.
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LXX. And be it further Enacted, by the Authority aforesaid, That every Person, being of the Age of Eighteen Years and upwards, and being in this Province at the Time of the Execution of this Act, who shall not before that Time have taken the Oaths mentioned and required to be taken by the said last mentioned Act, and upon Summons by Warrant under the Hands and Seals of any Two or more of the said Commissioners, shall refuse to take the said Oaths, at the Time appointed in the said Warrant, or shall neglect to appear at such Time before the said Commissioners, in order to take the said Oaths (which the said Commissioners, or any one of them, are hereby empowered and required to administer) shall yield and pay Double the Sums and Rates, which, by Force and Virtue of any Clause in this Act beforementioned and contained, he or they should or ought to pay, or be charged with, in Manner as is before in this present Act appointed, touching Papists, or reputed Papists.

LXXI. And be it further Enacted, That any Two or more of the Commissioners, appointed by this Act, in the respective Counties in this Province, upon Information, or upon any Cause of Suspicion in that Behalf, shall and are hereby required and empowered to cause every Person suspected (or against whom such Information shall be given) to be summoned to appear to take the said Oaths as aforesaid. Provided nevertheless, That whereas certain Persons, Dissenters from the Church of England, commonly called Quakers, and also others, German Protestant Dissenters, known to be such in this Province, do scruple the taking of any Oaths; it shall be sufficient for any such Persons to make and subscribe the like Declaration of Fidelity to his Majesty as was contained in an Act made in the Parliament, held in the First Year of the Reign of their late Majesties King William and Queen Mary, entitled, "An Act for exempting their Majesties Protestant Subjects, Dissenters from the Church of England, from the Penalties of certain Laws;" (which Declaration any One or more of the Commissioners, appointed for the executing this Act, are hereby empowered and required to administer); and every such Person so doing, shall not be liable to, or chargeable with, any of the double Rates aforesaid.

^{p. 250} LXXII. And be it further Enacted, by the Authority aforesaid, That in all Cases where any Assessor or Assessors, who, by this Act, are required to make double Assessments upon Papists, or reputed Papists, or other Persons, for not taking the Oaths aforesaid, shall neglect to do his or their Duty therein, the respective Commissioners of the County where such double Assessments ought to have been made, or any Two or more of them, shall take Care, and they are hereby authorized and required to cause such Papists

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or other Persons, to be doubly charged, according to the true Intent and Meaning of this Act. Provided always, and be it Enacted, That where the Owners of any Lands, Tenements and Hereditaments, are liable to be doubly charged as Papists, or reputed Papists, or Persons suspected by Reason of their not having taken the Oaths as aforesaid, according to the true Intent of this Act, in every such Case such Owners only shall be charged with and pay the said double Rates; and the respective Tenants of such Lands, Tenements and Hereditaments, are hereby discharged of and from the same; any Covenant for Payment of Taxes, or other Agreement to the contrary, notwithstanding.

LXXXIII. And be it further Enacted, by the Authority aforesaid, That where any Person or Persons, chargeable with any Rates or Assessments by this Act imposed, shall be under the Age of Twenty-one Years, then and in such Case, the Parents, Guardians or Tutors of such Infants, shall be and are hereby made liable to and chargeable with, the Payments which such Infant ought to have made. And if such Parents, Guardians or Tutors, shall neglect or refuse to pay as aforesaid, it shall and may be lawful to proceed against them in like Manner as against other Person or Persons making Default of Payment. And all Parents, Guardians or Tutors, making Payment as aforesaid, shall be allowed all and every the Sums so paid for such Infants upon his and their Account.

LXXXIV. Provided always, and be it Enacted, That no Stay of Prosecution, upon any Command, Warrant, Motion, Order, or Direction, by non vult ulterius prosequi, shall be had, made, admitted, or allowed, by any Court whatsoever, in any Suit or Proceeding, by Action of Debt, Bill, Plaintiff or Information, or otherwise, for Recovery of all or any of the Pains, Penalties or Forfeitures, upon any Person by this Act inflicted, or therein mentioned, or for or in order to the Conviction or Disability of any Person offending against this Act. p. 251

LXXV. And be it further Enacted, by the Authority aforesaid, That the said Commissioners shall, on the First Monday after the End of Thirty Days from the Time of their having delivered to the respective Collectors herein after appointed, Duplicates of the said Assessment, meet at their respective County Court-Houses, to hear and determine the Complaints of such Persons as may think themselves grieved by being over-rated, and shall sit from Day to Day for the Space of Ten Days next following, as often as shall be necessary within the said Time, for hearing and determining all Appeals that may be made to them. And the said Commissioners are hereby directed to give public and timely Notice of the Day of such their Meeting to hear and determine such Appeals, by setting up Advertisements in the most public Places in their respective Counties: And if the said Commissioners shall not meet or give

L. H. J. public Notice as aforesaid, the Commissioner or Commissioners failing therein, shall severally forfeit and pay the Sum of Twenty Pounds Current Money, to be recovered and applied as herein after directed. And if any Person or Persons, certified, assessed or rated, for or in respect of any Matter or Thing, for which, by this Act, he, she or they, is or may be rated or charged, do apprehend themselves grieved with such assessing or rating, and do thereof complain to the said Commissioners, the said Commissioners, or any Two of them, shall and may at the Time of their sitting to hear Appeals as aforesaid, particularly examine any Person or Persons (other than the Party complaining) upon his or their Oath, touching the Value of such Complainants Real or Personal Estate, and other the Matters aforesaid, except in the Case of ready Money, in which Case the Party's own Oath shall be admitted; and upon due Examination or Knowledge thereof, abate, increase or enlarge the said Assessment; and a Copy of the same, so abated, increased or enlarged, shall forthwith deliver or cause to be delivered to the Collector of their respective Counties, to be collected, levied and paid, as herein directed.

p. 252 LXXVI. And be it further Enacted, That the Clerks of the several County Courts within this Province, shall, and they are hereby required, without Fee or Reward, to make out and deliver to the Commissioners of their respective Counties, on or before the second Day of October next, fair and exact Copies of the last Lists of Taxables, returned by the Constables of the several Hundreds within their said Counties, on Pain of forfeiting Fifty Pounds Current Money, to be recovered and applied as herein after directed; which said Lists the said Commissioners shall deliver to the respective Assessors at the Time of their Qualification, under the like Penalty for each Neglect or Omission thereof.

LXXVII. And be it further Enacted, That the said Commissioners, or any Two of them, are hereby required to deliver to the Sheriffs of their respective Counties, who are hereby nominated and appointed Collectors of the Rates, Duties and Assessments aforesaid, a fair Copy of the Certificates of Assessment, which shall be by the said Assessors delivered to them as aforesaid, within Twenty Days after the said Delivery, under the Penalty of Fifty Pounds Current Money for each Commissioner. And the said Collectors, shall, within Thirty Days after such Delivery, make Demand of the several Sums charged in the said Certificate of Assessment, by delivering an exact Copy thereof, under his Hand, to each Person or Persons therein charged, so far as it concerns him, her or them, or leaving the same at his, her or their Habitation, or last Place of Abode; and shall proceed forthwith, after such Demand, to levy, receive and collect the same, by Two equal Payments, in the same Manner, and by the same Powers and Authorities the Public and

County Levies are by Law to be levied, received and collected; the first Payment to be made by the Tenth Day of June, in the Year One Thousand Seven Hundred and Sixty-one, and the second Payment by the Twenty-ninth Day of September then next following. Provided always, and be it Enacted, That before the said Collectors shall execute any Part of their Duty under this Act, they shall each of them enter into Bond, before Two Justices of the Peace of their respective County, or One Provincial Magistrate, with good and sufficient Securities, such as the said Two Justices, or Provincial Magistrate, shall approve, to the Right Honourable the Lord Proprietary of this Province, in the Sum of Six Thousand Pounds Current Money, with Condition to the said Bond in the following Form, viz. The Condition of the above Obligation is such, That if the above bounden shall well and faithfully execute and perform the several Duties required of him by the Act of Assembly, entituled, An Act for Granting a Supply of Sixty Thousand Pounds for his Majesty's Service, and for defraying the Expences heretofore incurred, for the Defence and Security of the Frontier Inhabitants of this Province, and for other Purposes therein mentioned; and shall well and truly pay to the Commissioner or Trustees for Emitting the Bills of Credit established by Act of Assembly, the several Sums of Money, which he shall receive and be answerable for in Virtue of the same Act, at such Times as by the said Act is directed, according to the true Intent and Meaning thereof, then the above Obligation to be void, else to remain in full Force and Virtue. And the said Two Justices of the Peace, or Provincial Magistrate, shall immediately cause the said Bond to be proved before them or him by the Witnesses thereto, and shall forthwith indorse the Probate on the Back thereof, and transmit the said Bond to the Clerk of the Provincial Court, who shall immediately record the same Bond and Indorsement aforesaid in the Provincial Land-Records; and after Entry thereof upon Record, the said Clerk shall deliver the original Bond to the Register of the Chancery Court, to be by him safely kept in the Chancery Office; and an attested Copy of the said Bond and Probate from the said Provincial Records, shall be as good Evidence in Law to maintain an Action of Debt, for the Breach of the Condition thereof, to all Intents and Purposes, as if the said Bond or Bonds were actually produced and proved in Court.

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LXXVIII. And be it further Enacted, That the said respective Collectors shall pay to the Commissioners or Trustees, for Emitting Bills of Credit, established by Act of Assembly, one Half of the total Amount of the Sums charged on the said Certificates of Assessment by the Tenth Day of July, in the Year of our Lord One Thousand Seven Hundred and Sixty-one, and the other Half (the Deductions and Allowances hereafter mentioned being first made) by

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the Twenty-fifth Day of December thereafter. And each Collector shall appear at his respective County Court-House on the First day (Monday) of November, in the Year last aforesaid, and then and there lay before the respective Commissioners, a fair, clear and regular Account of his Collection of the Rates, Duties and Assessments, imposed by this Act; and the said Commissioners shall appear at the same Time and Place, under the Penalty of Fifty Pounds Current Money each Commissioner not appearing: And they or any Two of them, or One, in case the other Two should die, refuse, or be otherwise rendered incapable to discharge the Duties enjoined by this Act, shall immediately proceed with the Collector to settle and adjust his said Account; and shall, upon such Settlement, allow to the said Collector a Commission of Two Pounds per Cent. on the Whole by him collected, or for which he or they shall judge him to be answerable, and shall not allow him for any Insolvencies or Deductions of any Part of the said Sums mentioned in the said Certificates of Assessment, except in Cases where it shall be made appear to them or him, he shall have used all lawful Ways and Means for the levying and collecting the same; a Certificate under his or their Hands and Seals of the Ballance of which Account, so settled and adjusted, the said Commissioner or Commissioners shall, by the First Day of December, in the Year last aforesaid, inclose and indorse for his Lordship's Service (which the said Commissioner or Commissioners are hereby empowered to do) and deliver to the Sheriffs of their respective Counties, to be by them forwarded as Public Letters are by Law directed to be forwarded to the Commissioners or Trustees aforesaid. And upon Failure of either the Payments, above directed to be made by the respective Collectors, the aforesaid Commissioners or Trustees shall, and they are hereby strictly enjoined and required immediately to put in Suit the Bond of the respective Collector so failing in either of his Payments.

LXXIX. And be it further Enacted, That all the Certificates of Assessment, which shall by the said Assessors be delivered to the said Commissioners, and all the Books of Proceedings of the said Commissioners, and the Accounts by them settled with the several Collectors aforesaid, shall, within Two Months after such Settlement, be by the said Commissioners delivered to the Clerk of their respective Counties, under the Penalty of Fifty Pounds Current Money, to be by the said Clerk lodged in his Office, and carefully kept for the Inspection of the Inhabitants of such County, for and during the Term of Six Months from the Day of the Receipt thereof into his said Office; and the said Clerks shall, within Five Days after the Expiration of the said Six Months, under the Penalty of Twenty Pounds Current Money, inclose and deliver the said Certificates, Books, Proceedings, and Accounts, to the Sheriff of such respective County, safely inclosed and indorsed for his Lord-

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ship's Service, directed to the Clerk of the Lower House of Assembly, to be by the said Sheriff forwarded as Public Letters are by the Laws of this Province directed to be forwarded, and under the like Penalty to be recovered and applied as herein after directed. And the said Clerk of the Lower House of Assembly shall safely keep the said Certificates, Books, Proceedings, and Accounts, in his Office, until the next Meeting of the Assembly, and shall, on the Second Day thereof, lay them before the Lower House of Assembly, for the Inspection of the Members thereof.

LXXX. And be it Enacted, That if any of the Days prefixed by this Act, for Performance of any of the Duties thereby enjoined or required, should happen to be on a Sunday, then such Duties shall be performed on the Day following; any Thing herein to the contrary notwithstanding.

LXXXI. And be it further Enacted, That the Collector of each respective County shall, at the Time of Settlement of his Accounts as aforesaid, pay to each of the said Commissioners, who shall serve in the Execution of this Act, as a Salary for the full and faithful Performance of their Duty therein, Eight Shillings for each Day they shall necessarily attend in the Performance of the several Services required of them by this Act, and no more: And shall also pay to the said Commissioners, for the Use of the said Assessors, for the full and faithful Performance of their Duty under this Act, any Sum not under Four Pounds, nor exceeding Ten Pounds Current Money, for each Assessor, which the said Commissioners, or any Two of them, shall adjudge an adequate Reward for the Service of each Assessor. And the Amount of all the Sums so paid, shall, by the said Commissioners, be allowed to the said Collector on Settlement of his Account as aforesaid, in which Accounts shall be expressed the Names of the Assessors for each District, and the Sums of Money for them respectively allowed. And the said Commissioners shall, after Receipt of the said Sums, for the Use of the p. 256 said Assessors, pay the same to them or their Orders respectively, on Demand, under the Penalty of Fifteen Pounds Current Money to the Party grieved.

LXXXII. And be it further Enacted, That every Commissioner and Assessor, who shall take upon himself the Execution of this Act, shall, for and during the Time he shall continue to act as Commissioner or Assessor, be entirely exempt and free from all military Duty whatsoever.

LXXXIII. And be it further Enacted, That if any Commissioners herein before appointed for executing such Part of this Law as relates to the Rates and Assessments therein mentioned, shall refuse to serve, not having a lawful Excuse, to be proved by the Oath of One Witness; for every such Refusal, shall forfeit the Sum of One

L. H. J. Hundred Pounds Current Money, to be recovered and applied as
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LXXXIV. And be it further Enacted, That in Case Two of the Persons appointed Commissioners for any of the Counties aforesaid, should die, refuse, or be otherwise rendered incapable to discharge the Duties enjoined them by this Act, then the other Commissioner shall, and he is hereby authorized and required to execute the Duties aforesaid; and the Transactions of such Commissioner shall be as valid, to all Intents and Purposes, as if no such Refusal, Death, or Incapacity, had happened; any Thing in this Act, to the contrary, notwithstanding.

LXXXV. And be it further Enacted, by the Authority aforesaid, That if any Suit or Action shall be brought or prosecuted against any Person or Persons, for any Thing done or to be done in Pursuance of this Act, that in every such Case the Action or Suit shall be commenced within Six Months after the Fact committed, and not afterwards, and the Defendant or Defendants in any such Action or Suit, may plead the General Issue Not Guilty, and give this Act and the special Matter in Evidence, at the Trial to be had thereupon, and that the same was done in Pursuance and by Authority of this Act; and if it shall appear so to be done, or if any such Action or Suit shall be brought after the Time limited for bringing the same, then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become Nonsuit, or suffer a Discontinuance of his, her or their Action or Actions, or if a Verdict shall pass against the Plaintiff or Plaintiffs, or upon p. 257 Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for the same as any Defendant or Defendants hath or have for Cost of Suit in other Cases at Law.

LXXXVI. And be it further Enacted, That the several Fines and Forfeitures mentioned in this Act, except where it is otherwise directed by this Act, shall and may be recovered by Action of Debt, Bill, Plaintiff or Information, with Costs, in any Court of Record within this Province, wherein no Essoin, Protection or Wager of Law, shall be allowed; one Half thereof to the Informer, or him or them that shall sue for the same, the other Half thereof to the Commissioners or Trustees aforesaid, to be by them applied to the replacing and sinking the several Sums of Money granted by this Act.

LXXXVII. And whereas the frequent Use of Carriages may be necessary; Be it Enacted, That from and after the End of this Session of Assembly until the First Day of November, One Thousand Seven Hundred and Sixty, when and as often as the Service may require the carrying of Gunpowder, Shot, Lead, Arms, Cloathing, or any military Stores or Accountments whatsoever, or Pro-

vions of any Kind, for Troops in his Majesty's Service, there shall be paid the following Rates of Carriage to the Owner or Owners of all such Carriages as shall be employed in such Services, viz. For the Hire of every Cart, with Four Horses, and a Driver, the Sum of Twelve Shillings Current Money per Day, and for the Hire of every Waggon, with Four Horses, and a Driver, the Sum of Fifteen Shillings Current Money per Day, during the Time such Cart or Waggon shall be detained or employed in his Majesty's Service. Provided always, and it is the true Intent and Meaning of this Act, that where any Cart or Waggon shall be discharged from the Service for which they were pressed, at any Distance from the Place of Abode of the Owner thereof, that then the said Owner or Owners shall be paid for the Hire of their said Cart or Waggon after the Rate of Six Pence per Mile for every Mile they shall be obliged to travel from the Place of their Discharge to their respective Places of Abode.

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LXXXVIII. And be it further Enacted by the Authority aforesaid, That no Officer or Commander of any Company, or Person, employing any Cart or Waggon in Virtue of this Act, shall constrain or compel the Owner or Driver of such Cart or Waggon to travel more than Fifteen Miles in any one Day, on Pain of forfeiting the Sum of Five Pounds Current Money, to be recovered before One Provincial Justice, or Two Justices of the Peace where the Offence shall be committed, and applied as the Fines and Forfeitures herein before are directed to be applied. Provided nevertheless, That if the Exigency of the Service should make it necessary for any Carriage, employed within this Province in his Majesty's Service, to travel more than Fifteen Miles in one Day, then and in such Case the Owner or Driver of such Carriage shall proceed farther, but for every Mile that he shall travel that Day with the Carriage, above the Fifteen Miles, he may demand, and shall receive, the Sum of One Shilling and four Pence per Mile if a Waggon, and One Shilling per Mile if a Cart, over and above the respective Sums before allowed for a Day's Hire.

LXXXIX. And be it further Enacted, That the Printer to this Province shall Print and Stitch in blue Paper Covers, One Hundred and Sixty-eight Copies of this Act, and make them up into Fourteen Parcels, of Twelve Copies each, directed to the Commissioners named in this Act, for the several Counties, and each Commissioner shall keep one of the said Copies for his own Use, and the others shall, by the said Commissioners, be distributed to the Assessors that shall be nominated and appointed for the several Divisions or Districts in their respective Counties; which Parcels the Printer shall have indorsed for his Lordship's Service, and delivered to the Sheriff of Anne-Arundel County, on or before the Thirtieth Day of August next, under the Penalty of One Hundred Pounds Current Money;

L. H. J. to be recovered and applied as herein before directed: And the
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 April 8 several Sheriffs are hereby required to forward them, in the same
 Manner, as other Public Letters are directed by Law to be for-
 forwarded, under the Penalty aforesaid.

XC. And whereas it may be necessary to make Provision for
 Intelligence and other Contingencies, which it is impossible par-
 ticularly to express and specify in this Act; Be it further Enacted,
 p. 259 by the Authority aforesaid, That it shall and may be lawful to and
 for the Governor or Commander in Chief of this Province, for the
 Time being, from Time to Time, during the Continuance of this
 Act, to draw his Order or Orders on the Agents aforesaid, for the
 Purposes aforesaid, for any Sum or Sums of Money not exceeding,
 in the Whole, the Sum of Fifty Pounds Current Money, payable to
 such Person or Persons as he shall think fit; and the said Agents
 are hereby directed and required to pay all such Orders so as aforesaid
 drawn, the Governor, or Commander in Chief of this Province, for
 the Time being, expressing in such Order the particular Use or
 Purpose for which the same is, or shall be drawn.

XCI. And be it further Enacted, That if by the Rates and Sums
 of Money, by this Act imposed for Two Years successively, more
 Money shall be paid into the Loan-Office than shall be sufficient to
 sink and replace the Sums of Money, in Bills of Credit, by this Act
 directed to be emitted and paid out, then all such Overplus shall be
 applied as the General Assembly of this Province shall direct; but if it
 shall appear upon Examination (which the said Commissioners or
 Trustees are hereby obliged and directed to make) that by the said
 Rates, Assessments and Sums of Money, to be imposed as afore-
 said, a sufficient Sum of Money for the Purposes aforesaid shall
 not be raised, then in such Case, all the Parts of this Act, any
 way relating to the Rates, Assessments, and Sums of Money herein
 before imposed, shall be and are hereby continued for one other
 Year; and the said Commissioners or Trustees shall, and they are
 hereby strictly enjoined and required to signify such Deficiency, by
 Writing under their Hands, to the respective Commissioners ap-
 pointed by this Act for each County, which Notice, by Writing, the
 said Commissioners or Trustees shall deliver under Cover directed
 to the said County Commissioners, and indorsed for his Lordship's
 Service, to the Sheriff of Anne-Arundel County, on or before the
 Tenth Day of January, which shall be in the Year of our Lord
 p. 260 Seventeen Hundred and Sixty-three, on Pain of forfeiting, for every
 Neglect or Omission thereof, the Sum of Two Hundred Pounds
 Current Money each Commissioner, to be recovered and applied
 as herein before directed. And the sevral Sheriffs of this Province
 are hereby required to forward the same as Public Letters are by
 Law directed to be forwarded, on Pain of forfeiting, for every
 Neglect or Omission thereof, the Sum of Two Hundred Pounds

Current Money, to be recovered and applied as aforesaid: And the said County Commissioners shall, immediately on Receipt of such Notice, proceed to carry this Act into Execution for one other Year; and if, after the Collection and Payment of the Rates and Sums of Money to be assessed, levied, collected and paid, for such other Year, it shall be found that more Money is brought into the said Office than is sufficient to replace and sink the several Sums of Money by this Act directed to be emitted and paid out, then all such Overplus shall be applied as herein before is directed in Case of an Overplus, after the first Year's Collection and Payment.

XCII. And be it further Enacted, by the Authority aforesaid, That the several Persons nominated and appointed in this Act, and to be nominated and appointed yearly for Three Years, in Virtue thereof, to put the same in Execution, so far as it any way relates to the assessing, levying, collecting and paying into the Loan-Office, the Sums of Money hereby imposed, shall yearly, for and during Two Years, and for one other Year if it shall be found necessary, according to the Directions of this Act, do and perform the several Services and Duties required of them, on or by the respective Times herein mentioned for doing and performing the same for the first Year, and under the like Pains, Penalties and Forfeitures, to be recovered and applied in the same Manner.

XCIII. Provided always, and it is hereby Declared, That nothing herein contained shall charge, or be construed to charge, his Excellency Horatio Sharpe, Esq; or the Governor or Commander in Chief of this Province for the Time being, with the abovementioned Duty or Payment of Two Shillings in the Pound by the Year, for or in respect of any Salary, Fees, Profits, Perquisites, or Advantages, to him arising or growing due as Governor or Commander in Chief; p. 261 but that his said Excellency, and the Governor or Commander in Chief for the Time being, in respect of the same, shall be clear from all the Taxes, Impositions, and other public Charges, herein before imposed; any Thing in this Act contained to the contrary notwithstanding.

On which said Bill the following Indorsements were made viz.^t A Bill entitled An Act for granting a Supply of Sixty thousand Pounds for his Majesty's Service and for defraying the Expences heretofore incurred for the Defence and Security of the Frontier Inhabitants of the Province and for other Purposes therein mentioned.

By the Lower House of Assembly, 28th March, 1760.

Read the first Time, and ordered to lie on the Table.

Signed p Order, M. Macnemara, Cl. Lo. Ho.

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By the Lower House of Assembly, 29th March, 1760.
Read the second Time, and will Pass.

Signed p Order, M. Macnemara, Cl. Lo. Ho.

By the Upper House of Assembly, 31st March, 1760.
Read the first Time, and will not Pass.

Signed p Order, J. Ross, Cl. Up. Ho.

April 9

Wednesday, April 9, 1760.

The House met according to Adjournment, &c.

His Excellency the Governor communicated to Mr. Speaker, the following Message, viz.

Gentlemen of the Lower House of Assembly,

The Honourable Colonel Howe having intimated to me, that he intends to leave this Place To-morrow Morning, and return to New-York, I should be glad to know what Answer I may, by this Opportunity, give to that Letter of General Amherst's, which was communicated to you at the Opening of the Session, especially as the Day, p. 262 by which his Excellency desired our Forces may be in Readiness to march, is very near at Hand.

9th of April, 1760

Hor.^o Sharpe.

Which was Read the first and second Time.

On Motion, Ordered, That Mr. Carroll, Mr. Dorsey, Mr. Murdock, Alexander Williamson, Esq; and Mr. Lloyd, do prepare and bring in an Answer to his Excellency the Governor's Message of this Day.

Col. Tasker, from the Upper House, delivers to Mr. Speaker, the Bill, entitled, An Act for reducing the Interest upon Tobacco and Money; Indorsed, "By the Upper House of Assembly, April 1, 1760. Read the first Time, and Ordered to lie on the Table."

And thus, "By the Upper House of Assembly, April 9, 1760. Read the second Time, and will pass, with the following Amendments.

Signed per Order, J. Ross, Cl. Up. Ho."

And the following Amendments, viz.

By the Upper House of Assembly, April 9th, 1760.

Read the second Time, and will pass, with the following Amendments. After the Word Money, in the Preamble, add the following Words, viz.^t (and the regular Payment thereof to Creditors;) and after the Word Trade, add the following Words, viz.^t (and Credit;) and strike out the Word is, and insert (are.)

In the first Enacting Clause, leave out the Word Tobacco throughout; and also leave out the following Words in the same Clause, after the Word whatever, viz. than Five Pounds of Tobacco for the Forbearance or Interest of One Hundred Pounds of Tobacco for one whole Year, and so in Proportion for a greater or lesser Quantity or Time; and also after the Word Province, and before the Word Five, in the said Clause, insert the Word (than;) and add between the Word Time and any, in the said Clause, the following Words, viz. (In case the said Interest shall be paid or tendered by the Debtor to the Creditor, at the Time and Times when the Payment thereof shall be referred by the Contract of the Parties.)

In the second Enacting Clause, leave out the Word Tobacco throughout, and also the following Words, viz. Five Pounds of Tobacco for Forbearance or Interest of One Hundred Pounds of Tobacco, and leave out also the Word respectively.

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In the third Enacting Clause, leave out the Word Tobacco throughout, and also leave out the following Words, Pounds of Tobacco for the Interest and Forbearance of One Hundred Pounds of Tobacco, or Five Pounds. Leave out also the Word respectively in the said Clause. Leave out in the said Clause, the following Words, viz. One Moiety to the Use of the Public School of the County where such Offence shall be committed; the other Half to the Informer, or him, her or them, who shall sue for the same; and insert the following Words, viz. To the Right Honourable the Lord Proprietary, his Heirs and Successors, for the Support of Government. Insert also, after the Proviso in the Bill, the following Proviso, viz. (Provided always, that in case any Person or Persons, who shall be chargeable with and liable to the Payment of an Interest not exceeding the Rate and limited by this Act as aforesaid, shall fail or omit to pay or tender the Payment of the Interest aforesaid annually and every Year, then and in such case it shall and may be lawful for the Creditor or Person intitled to Interest as aforesaid, to take, demand and receive, besides the simple Interest aforesaid, an additional Interest on the said simple Interest, at or after the aforesaid Rates of Five per Centum; and the Security and Securities, by which the Debtor shall be liable to and chargeable with the Payment of the principal Money and simple Interest, shall be deemed and taken as a Security also for the compound Interest aforesaid, to all Intents and Purposes whatsoever; any Thing herein before contained, or any Law, Statute, Usage, or Custom, to the contrary, notwithstanding.

Signed per Order, J. Ross, Cl. Up. Ho."

Mr. Lloyd, from the Committee appointed, brings in and delivers to Mr. Speaker, an Address to the Governor; which was Read, Approved, and Ordered to be Ingrossed.

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Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker, the Bill, entituled, An Act for Naturalization, and the following Message, viz.

By the Upper House of Assembly, April 9th 1760.

Gentlemen,

We agree to your Amendments made to the Act for Naturalization, except as follows, viz.^t

p. 264 We do not agree to the Amendment of leaving out the Word, And, in the 4th Line of the 3d Page, because the inserting it is agreeable to the Title of the Act of Parliament recited.

In the 4th Line of the last Proviso, Leave out the Words any Person or Persons being a Papist or Papists, or reputed so to be or of; Leave out the Word she, in the 7th Line of the same Proviso, and in the 9th Line thereof, Leave out the following Words, Person or Persons being a Papist or Papists, or reputed so to be or.

Signed per Order, J. Ross, Cl. Up. Ho.

On Motion, Leave given to bring in a Bill for the Ease of the Land-Holders within this Province:

Ordered, That Mr. Goldsborough, Mr. Dorsey, Mr. Carroll, Alexander Williamson, Esq; and Mr. Murdock, do prepare and bring in a Bill accordingly.

The House adjourns till Half an Hour past two of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

Mr. Lloyd brings in and delivers to Mr. Speaker the following Ingrossed Address, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland:

The humble Address of the House of Delegates.

May it please your Excellency,

That your Excellency may be enabled to give an Answer to the Letter from General Amherst, which you was pleased to communicate to us at the Opening of the Session, we have thought proper to send you a Copy of the Resolves, entered into on a full Consideration of that and the other Papers then laid before us.

p. 265 Agreeable to these Resolves, a Bill (justifiable as we apprehend upon the Principles of our Constitution, and consistent with our Rights and Privileges) was prepared, and passed this House with all possible Dispatch, and sent to the Upper House for their Concurrence; and although that Bill has been returned to us with a Negative, by which our Endeavours to promote his Majesty's Service have been frustrated, we are well satisfied that we have, on our Part, done every Thing that can be expected from dutiful and loyal Subjects.

Which was Read and Assented to, and Signed, by Order of the House, by the Honourable Speaker.

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[*The above mentioned Resolves are printed on pages 232-234.*]

Ordered, That Dr. Steuart and Mr. Earle do acquaint his Excellency the Governor, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will receive it. They return and acquaint Mr. Speaker, That his Excellency signified he would receive the Address in Five Minutes Time in the Conference Chamber.

Ordred, That Mr. Lloyd, with Five more, do present the Address to the Governor.

Mr. Goldsborough brings in and delivers to Mr. Speaker, a Bill, entituled, An Act for the Ease of the Landholders in this Province; which was Read the first and second Time by an especial Order, and will pass; and was sent to the Upper House by Mr. Goldsborough and Mr. Dorsey.

The following Message, viz.

By the Lower House of Assembly, April 9th, 1760.

May it please your Honours,

We return you the Bill, entituled, An Act for Naturalization; but cannot agree to alter any of our Amendments proposed to the said Bill, except that the Word and, in the 4th Line of the 3d Page, may be inserted.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House, with the Bill, entituled, An Act for Naturalization, by Alexander Williamson, Esq; and Mr. Carroll.

In Pursuance of Order of this House the following Bill is here entered in these words viz.^t

An Act for Naturalization.

I. Whereas several Aliens have heretofore transported themselves into this Province, and have taken up and patented in their own Names, several Parcels of Lands and Tenements, some of whom still retain the Possession thereof, and others have by Deeds p. 266 intended to convey the same to other Persons, and others dying, have either left them to descend to their Issue or Collaterals, as their Heirs at Law, or by their Last Wills and Testaments have devised the same to Strangers: And whereas several Aliens have likewise purchased Lands which had been before patented to other Aliens, or natural born Subjects, altho' by the Policy of the Laws of England, and this Province, such Aliens can neither hold, convey, devise, nor leave an Heir: And whereas it is highly just and reasonable that such Aliens, (having shewn a fair and upright Intention by having pursued the usual and ordinary Methods of

L. H. J. acquiring and transferring Lands in this Province) or those claiming
 Liber No. 51 by, from or under them, should not be prejudiced by a Misappre-
 April 9 hension of their own Capacities, or of those under whom they claim;

II. Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That all Lands, Tenements and Hereditaments, within this Province, which have been at any Time heretofore patented to any Alien, or being patented to any natural born Subject, have been purchased by any Alien, and that all Deeds, Conveyances and Devises thereof, heretofore made, shall be deemed, construed and taken, to have passed, descended, operated and enured, to all Intents, Constructions and Purposes, as fully and effectually as they would have done if such Patentees, Vendors and Vendees, Donors and Donees, Devisors and Devisees, and their Issue and Collaterals, were natural born Subjects of this Province; any Law, Statute, Usage or Custom, to the contrary thereof in any wise notwithstanding.

III. And whereas several Aliens have heretofore, thro' Inacquaintance with the Laws of this Province, taken Conveyances from other Persons of Lands not patented, or have themselves settled, built and improved, upon Lands in this Province, without having at any Time obtained Patent for the same;

IV. Be it therefore Enacted, by the Authority aforesaid, by and with the Advice and Consent aforesaid, That it shall and may be lawful to and for all such Aliens, as have already purchased, or settled Lands, within this Province, not patented for all others now claiming by, from or under them, to apply at any Time within one Year from the Commencement of this present Session of Assembly, to the Land-Office of this Province, by Petition setting forth the true State of their Claim, and proceeding and submitting to the Examination of the Judge, the Evidences, Papers and Proofs, of or relating to the Allegations therein contained, to demand a Warrant (wherein the several Allegations in the Petition shall be recited) to the Surveyor of the County where such Lands lie, to lay out such Quantity, to be therein expressed (not interfering with elder Surveys, or Lands cultivated by any other Person or Persons than those, by, from or under whom they claim) as the Party shall require; and upon Return of a Certificate thereof, the Rights being complied with as for a Common Warrant, Patent (reciting likewise the several Allegations in the Petition) shall issue accordingly.

V. And be it further Enacted, by the Authority, Advice, and Consent, aforesaid, That when such Patent shall issue, the Lands, Tenements and Hereditaments, thereby intended to be granted, and all Deeds, Conveyances and Devises thereof, at any Time heretofore

made, shall be deemed, construed and taken, to have passed, descended, operated and enured, to all Intents, Constructions and Purposes, as fully and effectually as they would have done if such Patent had issued to such Settler or Vendor, prior to such Settlement or purchase by such Alien, and as if such Alien and the several Persons claiming by, from or under him, were natural born Subjects of this Province. Provided always, That nothing herein before contained, shall be deemed, construed or taken, to defeat or destroy any Estate or Title from the Right Honourable the Lord Proprietary, to any other Person who has already taken Advantage of any the Defects aforesaid; but that such Estate and Title shall remain, continue and be, in the same Plight, State and Condition, it would have been had this Act never been made; any Thing herein before contained to the contrary thereof in any wise notwithstanding.

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VI. And as an Encouragement to Foreigners to settle in this Province; Be it Enacted, by the Authority, Advice, and Consent aforesaid, That all Aliens now actually inhabiting and residing, or who shall hereafter inhabit and reside, within this Province, who shall take and subscribe the Oath, and make, repeat and subscribe the Declaration appointed by an Act made in the first Year of the Reign of his late Majesty King George the First, entituled, An Act for the further Security of his Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess Sophia, being Protestants, and for extinguishing the Hopes of the pretended Prince of Wales, and his open and secret Abettors, or who being of the People called Quakers, or others conscientiously refusing to take an Oath, shall make and subscribe the Declaration of Fidelity, and take and affirm the Effect of the Abjuration Oath, appointed and prescribed by an Act made in the Eighth Year of his said late Majesty, entituled, An Act for granting the People called Quakers, such Forms of Affirmation or Declaration as may remove the Difficulties which many of them lie under; and also make and subscribe the Profession of his Christian Belief, appointed and prescribed by an Act made in the first Year of their late Majesties King William and Queen Mary, entituled, An Act for exempting their Majesties Protestant Subjects from the Penalties of certain Laws, before the Provincial Court of this Province, shall from thenceforth be, and shall be deemed, adjudged and taken, to be the King's natural born Subjects of this Province, as fully, to all Intents, Constructions and Purposes, as if they and every of them were actually born here; of all which Proceedings, with the Names of the several Persons so naturalized, the said Court shall cause a fair Entry to be made amongst their Records. Provided nevertheless, That no Person naturalized by Virtue of this Act, shall be capable to be of either House of Assembly, or to enjoy any Civil Office or

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L. H. J. Place of Trust; any Thing herein before contained to the contrary
 Liber No. 51 thereof, in any wise, notwithstanding.
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By the Upper House of Assembly 1st April 1760.

Read the first time and Ordered to lie on the Table.

Signed p order J Ross Cl. Up. Ho.

By the Upper House of Assembly 1st April 1760.

Read the second time by especial Order and will pass.

Signed p order J Ross Cl. Up. Ho.

By the Lower House of Assembly 1st April 1760.

Read the first time and Ordered to lie on the Table.

Signed p Order MMacnemara Cl. Lo. Ho.

By the Lower House of Assembly 8th April 1760.

Read the second time and with the amendments herewith sent
 will pass.

Signed p Order MMacnemara Cl. Lo. Ho.

By the Lower House of Assembly, April 8th, 1760.

Amendments proposed to the Bill, entituled, An Act for Naturali-
 zation.

To the Title of the Act, add the following Words (of foreign
 Protestants.)

In the last Line of the second Page instead of the Word Oath,
 insert the Word (Oaths.)

In the Fourth Line of the third Page after the Word Wales, strike
 out the Word and.

In the Thirteenth of the same Page, after the Word Provincial,
 insert the Words (or any County.)

After the Word Records, in the seventeenth Line of the Third
 Page add the following Clauses, to wit,

Provided always, and be it Enacted by the Authority aforesaid,
 That no Person, of what Quality, Condition, or Place whatsoever,
 other than and except such of the People called Quakers, and all
 foreign Protestants, who conscientiously scruple the taking an
 Oath, as shall qualify themselves and be naturalized by the Ways
 and Means herein before mentioned, shall be naturalized by Virtue
 of this Act, unless such Person shall have received the Sacrament
 of the Lord's Supper in some Protestant and Reformed Congre-
 gation within this Province, within three Months next before his
 taking and subscribing the said Oaths, and making, repeating, and
 subscribing, the said Declaration; and shall at the Time of his
 taking and subscribing the said Oaths, and making, repeating and
 subscribing the said Declaration, produce a Certificate signed by the
 Person administering the said Sacrament, and attested by two
 credible Witnesses, whereof an Entry shall be made in the Pro-

vincial or the County Court of this Province, where the said Oaths shall be so taken, as aforesaid, without Fee or Reward.

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Provided also, and it is hereby further Enacted by the Authority aforesaid, That nothing in this Act contained, shall extend or be construed to extend, to naturalize any Person or Persons whatsoever, who, by Virtue of an Act of Parliament made in the fourth Year of his Majesty's Reign (entituled, An Act to explain a Clause in an Act made in the seventh Year of the Reign of her late Majesty Queen Anne, for Naturalizing foreign Protestants, which relates to the Children of natural born Subjects of the Crown of England, or of Great-Britain) are declared and enacted not to be entitled to the Benefit of the said Act of the seventh Year of her said late Majesty's Reign; but that all such Persons shall be and remain in the same State, Plight and Condition, to all Intents, Constructions and Purposes whatsoever, as they would have been in if this Act had never been made; any Thing herein contained to the contrary, in any wise, notwithstanding.

Provided also, and be it likewise Enacted by the Authority, Advice, and Consent aforesaid, That nothing herein contained shall be construed, deemed, or taken, to secure or make valid the Estate, Right or Title of any Person or Persons, being a Papist or Papists, or reputed so to be, or of any Romish or Jesuitical Priest or Priests, or Persons reputed so to be, of, in or to, any Lands, Tenements, or Hereditaments, that he, she or they, now is, are or shall be, in Possession of, or do or hereafter shall claim any Estate in, or Right or Title to; but that the Estate, Right or Title of every such Person or Persons, being a Papist or Papists, or reputed so to be, or Romish or Jesuitical Priest or Priests, or Persons reputed so to be, shall remain and continue in the same Plight, State and Condition, to all Intents and Purposes, which it would have been had this Act never been made; any Thing herein before cantained to the contrary notwithstanding.

Signed p Order, M. Macnemara, Cl. Lo. Ho.

The Petition of the Planters and Merchants, in Behalf of themselves and others, was Read the second Time, and Referred to the Consideration of the next Assembly. p. 271

The House adjourns till the Morrow Morning at 9 of the Clock.

Thursday, April 10, 1760.

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The House met according to Adjournment, &c.

Mr. King appeared in the House.

Capt. Lee hath Leave of Absence.

On Reading the second Time the Amendments proposed by the Upper House to the Bill, entituled, An Act for reducing the Interest

L. H. J. upon Tobacco and Money, Resolved Unanimously, That this House
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 April 10 doth not concur therewith.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker, a Bill, entituled, An Act for dividing All Saints Parish in Frederick County, and for Erecting a Chapel of Ease there into a Parish Church; Indorsed, "By the Upper House of Assembly, 9th April, 1760. Read the first Time, and Ordered to lie on the Table."

And thus, "By the Upper House of Assembly, 10th April, 1760. Read the second Time, and will pass.

Signed p Order, J. Ross, Cl. Up. Ho."

And a Petition of the Inhabitants of the Upper Part of All Saints Parish in the County afsd.

The House adjourns till Half an Hour past two of the Clock.

Post-Meridiem. The House met according to Adjournment, &c.

Mr. Earle brings in and delivers to Mr. Speaker, a Report, relating to the Fees of the Clerk and Serjeant, taxed by the Committee appointed for that Purpose, viz.^t

By the Committee appointed by the Honourable the Lower House of Assembly to Tax the several Fees due to the Clerk and Serjeant thereof.

April 10th 1760

p. 272 Your Committee having duly Inspected several Lists and Accounts for Services done by Order of the Honourable House do find and Report the same in the following manner Viz.^t

1757, Oct.^r

To the Serjeant for the hire of a Messenger to Frederick County to Summon Witnesses to appear before the Committee of Aggrievances and enquiry.....	3. 0. 0
To ditto for ditto to Elkridge as p Acco. ^t and Receipt.....	1. 0. 0
To ditto for ditto to Q. Anns County as p ditto.....	0.10. 0
To ditto for serving 38. Summonses on sundry Persons in Frederick. Ann Arundel Queen Ann's and Charles Counties to appear as Witnesses before the said Committee	5.14. 0

1758, March

To the Clerk for Issuing Subpenas to Mess. ^r Reeder, Sothoran, Key, Rasin, Tilden, Hammond, Gassaway, J Mackall, B. Mackall, Lee, Wagaman, Lowes, Gale, Wilson, Gray Sulivane, Lecompte, J. H. Dorsey, Hyland, Baker, Ward, King, Sudler, Scarborough, Henry, and Harris (the Members of the Honble House) at 3/ each.....	3.18. 0
To the Serjeant for Serving the same.....	3.18 .0

1758, Oct.^r 27

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To the Clerk for Subpenas to Sam. ^r Chew of Herring Bay Richard Thomas and Samuel Richardson of Fred- erick County (at the request of Doct. ^r George Steu- art) at 3/ each.....	O. 9. 0
To the Serjeant for Non Ests thereon at 1/.....	
To the Clerk for Subpenas to Tho. ^s Weems Charles Wal- lace, Cornelius Howard, Thomas Pecker, James Chalmers, John Evitt, Francis Fairbrother, Tho. ^s Williamson, Robert Couden, and Dorothy Elton of the City of Annapolis (at the request of M. ^r Henry Woodward) at 3/ each.....	
To the Serjeant for serving the same.....	I. 10. 0

1758, Oct.^r 28

To the Clerk for Subpenas to the Mayor Recorder and Alderman of the City of Annapolis at 3/ each.....	I. 1. 0
To the Serjeant for Serving the same.....	I. 1. 0

1758, Oct.^r 30th

To the Clerk for Subpna to Stephen Bordley at the request of Doct. ^r George Steuart.....	O. 3. 0
To the Serjeant for Serving the same.....	O. 3. 0
To the Clerk for Subpenas to John Inch John Thompson Sen ^r John Clark of Frederick County, Henry Baldwin Eliz. th McLeod Allen Qynn, William Roberts, Reverdy Ghiselin, and Ja. ^s Heath (at the request of Doctor Steuart at 3/ each.....)	I. 7. 0 p. 273
To the Serjeant for serving the same.....	I. 7. 0
To the Clerk for Subpenas to Nicholas Minskie, William Reynolds, Samuel Howard, and Andrew Buchanan (at the request of M. ^r Woodward at 3/ each.....)	O.12. 0
To the Serjeant for Serving the same.....	O.12. 0

1758, Oct.^r 31

To the Clerk for Subpna to Richard Snowden at the Re- quest of Doct. ^r Steuart.....	O. 3. 0
To the Serjeant for Serving the same.....	O. 3. 0
To the Clerk for Subpna to Richard Bryan and Charles Bryan, at the request of M. ^r Woodward.....	O. 6. 0
To the Serjeant for Serving the same.....	O. 6. 0
To the Clerk for Subpna to John Clark of Frederick County at the request of Doctor Steuart.....	O. 3. 0
To the Serjeant for Serving the same.....	O. 3. 0

L. H. J. Liber No. 51 April 10	1758, Nov. ^r 1 st To the Clerk for Subpna to Nathan Hammond & Jonathan Pinkney at the request of M. ^r Woodward.....	o. 6. o
	To the Serjeant for Serving the same.....	o. 6. o
	1758, Nov. ^r 3 ^d To the Clerk for Subpna to Jane Inch at the request of M. ^r Henry Woodward.....	o. 3. o
	To the Serjeant for Serving the same.....	o. 3. o
	1758, Nov. ^r 4 th To the Clerk for Subpna to Jonathan Baker at the request of M. ^r Woodward.....	o. 3. o
	To the Serjeant for serving the same.....	o. 3. o
	1758, Nov. ^r 27 To the Clerk for Subpenas to Jonas Green and Tho. ^s Jenings Jun ^r	o. 6. o
	To the Serjeant for Serving the same.....	o. 6. o
	1758, Dec. ^r 4 To the Clerk for Subpenas to Col. ^o Benjamin Young of Baltimore County and Samuel Chew of Herring Bay at the request of Doctor Steuart.....	o. 6. o
	To the Serjeant for serving the same.....	o. 6. o
	1758, Dec. ^r 6 th To the Clerk for Subpna to James Jordan Inspector of Llewelin's Warehouse in S. ^t Marys County to attend the Committee of Accounts.....	o. 3. o
	To the Serjeant for serving the same.....	o. 3. o
	1758, Dec. ^r 7 th To the Clerk for Subpenas to John Evitt, Sam. ^l Howard, Cornelius Howard, Will. ^m Reynolds, Cornelius Gar- retson, Tho. ^s Reckar and James Chalmers at the re- quest of M. ^r Henry Woodward at 3/ each.....	I. I. o
p. 274	To the Serjeant for serving the same.....	I. I. o
	1758, Dec. ^r 10 th To the Clerk for Subpenas to Jonas Green and Dorothy Elton at request of Doctor Steuart.....	o. 6. o
	To the Serjeant for serving the same.....	o. 6. o
	1758, Dec. ^r 19 th To the Clerk for Subpenas to Charles Bryan and Nicholas Minskie at the request of M. ^r Woodward.....	o. 6. o

To the Serjeant for serving the same.....	o. 6. o	L. H. J. Liber No. 51 April 10
To the Clerk for Subpenas to James Maccubbin, John Duckett and Thomas Richardson at the request of M. ^r Woodward.....	o. 9. o	
To the Serjeant for serving the same.....	o. 9. o	

1758, Dec.^r 20th

To the Clerk for Subpenas to Benj. ^a Beall, Tho. ^s Recker, John Evett, Thomas Williamson, John Anderson, and Elizabeth McLeod at the request of Doctor Steuart	o.18. o
To the Serjeant for serving the same.....	o.18. o

1759, Ap.^l 7

To the Clerk for Subpenas to Charles Comen Nich. ^s Clouds Thomas Norris, Stephen Steuart, Clement Brooke, Basil Dorsey Jun. ^r and John Sadler at request of Doct. ^r Steuart.....	I. 1. o
To the Serjeant on Serving the same on the 6 first above mentioned, and for Non Est John Sadler.....	o.19 o
To the Clerk for Subpenas to Henry Woodward Nich. ^s Minskie Samuel Howard, John Callahane, John Thompson (the little) John Davidge, Charles Bryan, Geo. Newman, Charles Wallace, Thomas Jennings Sen. ^r and William Woodward, at the request of M. ^r Nicholas Maccubbin	I.13. o
To the Serjeant for Serving the same.....	I.13. o

1760, Mar. 22

To the Clerk for Issuing Subpenas to Mess. ^{rs} Scarborough, Harris, Purnell, Selby, Gresham, Ward, J. J. Mackall, B. Mackall, Sothonon, Greenfield, J. Goldsborough, Bowman, Wagaman, Gale, Waters, and C. Goldsborough at 3/ each.....	2. 8. o
To the Serjeant for serving the same.....	2. 8. o
To Ditto for the hire of a Messenger to Calvert & S. ^t Mary's Counties as p Account.....	3. o. o
To ditto for ditto to Talbot, Somerset, and Worcester Counties as p ditto.....	6.10. o

To the Clerk for Subpna to Philip Hammond Esq.^r..... o. 3. o

1760, Ap.^l 8th

To the Serjeant for Serving the same.....	o. 3. o
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All which is humbly sumbitted to the Consideration of the Honble House

p Rob't Lloyd
Alex^r Williamson
J. C. Earle

p. 275

Which was read and the House concurs therewith.

L. H. J. Stephen Bordley, Esq; from the Upper House, delivers to Mr.
 Liber No. 51 Speaker, the Bill, entituled, An Act for the Ease of the Landholders
 April 10 of this Province; Indorsed, "By the Upper House of Assembly, 9th
 April, 1760.

Read the first Time, and Ordered to lie on the Table."

And thus, "By the Uper House of Assembly, 10th April, 1760. Read the second Time, and will pass, with the following Amendments, viz. Instead of Philip Thomas and William Goldsborough, Esquires, in 4th and 5th Lines of 3d Page, put (Daniel Dulany and Stephen Bordley, Esquires.) In the 10th Line of the same Page, put (One) instead of Two. In the 15th Line of the same Page, put (Six) instead of Seven: And in the next Line, put (Sixth) instead of Seventh. In the 23d Line of the same Page, put (Six) instead of Seven. In the 6th Line of 4th Page, put (One) instead of Two. In the 7th Line of 5th Page, put (One) instead of Two. In the 5th Line of the 6th Page, put (Two) instead of Three.

Signed p Order, J. Ross, Cl. Up. Ho."

On Reading the proposed Amendments to the Bill, entituled, An Act for the Ease of the Landholders within this Province, the Question was put, That this House doth agree to the first Amendment proposed by the Upper House to the said Bill. Resolved in the Negative.

The Question was put, That this House doth agree to the other Amendments proposed by the Upper House to the Bill, entituled, An Act for the Ease of the Landholders within this Province. Resolved in the Negative.

For the Negative,

Messieurs	Williamson, Hynson, Gassaway, Carroll, Hanson, Dent,	Stoddert, Cockey Deye, Owings, Earle, Ward, Fraser,	Lloyd, Purnell, Selby, Chapline, E. Dorsey, Cresap.
			[18]

p. 276

For the Affirmative,

Messieurs	Sulivane, Goldsborough, Travers, Govane,	Baker, Murdock, King, Beall,	Dulany, Steuart, Crabb.
			[11]

The Bill, entituled, An Act for dividing All Saints Parish in Frederick County, and for Erecting a Chapel of Ease there into a Parish Church, was Read the first and second Time by an especial

Order, and will not pass; and was sent to the Upper House by Mr. Dorsey and Col. Cresap.

L. H. J.
Liber No. 51
April 10

The Petition of the Inhabitants of the Upper Part of All Saints Parish, was Read and Referred to the Consideration of next Assembly.

The House adjourns till the Morrow Morning at nine of the Clock.

Friday, April 11, 1760.

April 11

The House met according to Adjournment: All the Members appeared as Yesterday, except Capt. Lee. The Proceedings were Read.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, the several Papers of the Ingrossed Bills, which had been Read and Assented to by this House; which Paper Bills were severally thus Indorsed, "By the Upper House of Assembly, 8th April, 1760. The Ingrossed Bill, whereof this is the Original, is Read and Assented to.

Signed p Order, J. Ross, Cl. Up. Ho."

Ordered That Mr. Lloyd and Mr. Carroll do acquaint his Excellency the Governor, That no Public Business lies before this House to Transact.

Samuel Chamberlaine, Esq; and Colonel Tasker, from the Upper House, acquaint Mr. Speaker, That the Governor requires the Attendance of the Lower House immediately in the Council Chamber.

Mr. Speaker left the Chair, and (with the Members of the Lower House) attended his Excellency in the Council Chamber, where Mr. Speaker presented to him,

An Ingrossed Bill, entituled, An Act continuing an Act, entituled, p. 277 An Act to prevent Persons from secreting Boats, Flats, and other Vessels, drove by Stress of Weather or otherwise, from Landings or Moorings.

An Ingrossed Bill, entituled, An Act continuing an Act, entituled, An Act to prevent Masters of Ships and Vessels from clandestinely carrying Servants and Slaves, or Persons indebted, out of this Province.

An Ingrossed Bill, entituled, An Act continuing an Act, entituled, A Supplementary Act to the Act, entituled, An Act for the Relief of Creditors in England against Bankrupts, who have imported Goods into this Province not accounted for.

An Ingrossed Bill, entituled, An Act continuing an Act, entituled, An Act for the Advancement of Justice.

L. H. J.
Liber No. 51
April 11

An Ingrossed Bill, entituled, An Act continuing an Act, entituled, An Act for preventing Indians disaffected to the British Interest in America, from coming into this Province as Spies, or on any other Evil Design.

An Ingrossed Bill, entituled, An Act to aid some Proceedings of the Vestry of Port-Tobacco Parish in Charles County, and to impower the said Parish to elect Vestrymen and Church-wardens.

An Ingrossed Bill, entituled, An Act to increase the Salaries of the Inspectors of Snow-Hill Warehouse in Worcester County, and Plymouth Warehouse in Dorchester County.

An Ingrossed Bill, entituled, An Act for the speedy and effectual Publication of the Laws of this Province; and for the Encouragement of Jonas Green, of the City of Annapolis, Printer.

All which his Excellency passed into Laws in the usual Manner; and made the following Speech, viz.

p. 278 Gentlemen of the Upper and Lower Houses of Assembly,

I do, with the Advice of his Lordship's Council of State, Prorogue this Assembly to the 7th of July next; and you are to take Notice you are Prorogued to that Day accordingly.

So endeth this Session of Assembly this 11th Day of April, in the Ninth Year of his Lordship's Dominion, Annoque Domini 1760

Test. M. Macnemara, Cl. Lo. Ho

ACTS OF THE ASSEMBLY PASSED MARCH-APRIL 1760

At a Session of Assembly begun and held at the City of Annapolis on Saturday the 22^d Day of March in the Ninth Year of the Dominion of the Right Honourable Frederick Absolute Lord and Proprietary of the Provinces of Maryland and Avalon Lord Baron of Baltimore, &c. Anno Domini 1760 and ending the eleventh Day of April following.

Liber H. S.
No. 1
p. 380

The following Laws were Enacted and Assented to by His Excellency Horatio Sharpe Esquire Governor

- No. 1 An Act continuing an Act, entituled, An Act to prevent Persons from secreting Boats, Flats, and other Vessels, drove by Stress of Weather or otherwise, from Landings and Moorings.

[An Act continued.]

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province, entituled, An Act to prevent Persons from secreting Boats, Flats, and other Vessels, drove by Stress of Weather or otherwise, from Landings or Moorings, made at a Session of Assembly, began and held at the City of Annapolis on the second Day of October, One Thousand Seven Hundred and Fifty-three, shall be, and is hereby continued to be and remain in full Force, for and during the Term of Three Years, and unto the End of the next Session of Assembly which shall happen after the Expiration of the said Three Years.

7th April 1760
Read and Assented to
by the Lower House of
Assembly
Signed p order
MMacnemara Cl lo ho

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince, I will this be a Law.
Hor.º Sharpe

7th April 1760
Read and Assented to
by the Upper House of
Assembly
Signed p order
JRoss Cl Up Ho

The Great Seal
in Wax app!

- No. 2 An Act continuing an Act, entituled, An Act to prevent Masters of Ships and Vessels from clandestinely carrying Servants and Slaves, or Persons indebted, out of this Province.

[An Act continued.]

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province, entituled, An Act to prevent Masters of Ships and Vessels from clandestinely carrying Servants and Slaves, or Persons indebted, out of this Province, made

Liber H. S. at a Session of Assembly, begun and held at the City of Annapolis
 No. i on the second Day of October, One Thousand Seven Hundred and
 Fifty-three, shall be, and is hereby continued to be and remain in full
 Force, for and during the Term of Three Years, and unto the End
 of the next Session of Assembly which shall happen after the Ex-
 piration of the said Three Years.

7th April 1760
 Read and Assented to
 by the Lower House of
 Assembly
 Signed p order
 MMacnemara Cl lo ho

On behalf of the Right
 Honourable the Lord
 Proprietary of this Prov-
 ince, I will this be a Law.
 Hor.^o Sharpe

7th April 1760
 Read and Assented to
 by the Upper house of
 Assembly
 Signed p order
 JRoss Cl Up Ho

The Great Seal
 in Wax app.t

No. 3 An Act continuing an Act, entituled, A Supplementary Act to the
 p. 381 Act, entituled, An Act for the Relief of Creditors in England
 against Bankrupts, who have imported Goods into this Province
 not accounted for.

[An Act
 continued.] Be it Enacted, by the Right Honourable the Lord Proprietary, by
 and with the Advice and Consent of his Lordship's Governor, and
 the Upper and Lower Houses of Assembly, and the Authority of
 the same, That an Act of Assembly of this Province, entituled, A
 Supplementary Act to the Act, entituled, An Act for the Relief of
 Creditors in England against Bankrupts, who have imported any
 Goods into this Province, not accounted for, made at a Session of
 Assembly, begun and held at the City of Annapolis on the Second
 Day of October, One Thousand Seven Hundred and Fifty-three,
 shall be, and is hereby continued to be and remain in full Force, for
 and during the Term of Three Years, and unto the End of the next
 Session of Assembly which shall happen after the Expiration of the
 said Three Years.

7th April 1760
 Read and Assented to
 by the Lower House of
 Assembly
 Signed p order
 MMacnemara Cl lo ho

On behalf of the Right
 Honourable the Lord
 Proprietary of this Prov-
 ince, I will this be a Law.
 Hor.^o Sharpe

7th April 1760
 Read and Assented to
 by the Upper house of
 Assembly
 Signed p order
 JRoss Cl Up Ho

The Great Seal
 in Wax app.t

No. 4 An Act continuing an Act, entituled, An Act for the Advancement
 of Justice.

[An Act
 continued.] Be it Enacted, by the Right Honourable the Lord Proprietary,
 by and with the Advice and Consent of his Lordship's Governor, and
 the Upper and Lower Houses of Assembly, and the Authority of the
 same, That an Act of Assembly of this Province, entituled, An Act

for the Advancement of Justice, made at a Session of Assembly, Liber H. S.
begun and held at the City of Annapolis on the Second Day of
October, One Thousand Seven Hundred and Fifty-three, shall be,
and is hereby continued and shall remain and be in full Force, for
and during the Term of Three Years, and unto the End of the next
Session of Assembly which shall happen after the Expiration of the
said Three Years.

7th April 1760
Read and Assented to
by the Lower House of
Assembly

Signed p order
MMacnemara Cl lo ho

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince, I will this be a Law.

Hor.º Sharpe

7th April 1760
Read and Assented to
by the Upper House of
Assembly

Signed p order
JRoss Cl Up Ho

The Great Seal
in Wax app.t

No. 5 An Act continuing an Act, entituled, An Act for preventing Indians, p. 382
disaffected to the British Interest in America, from coming into
this Province as Spies, or on any other evil Design.

Be it Enacted, by the Right Honourable the Lord Proprietary, [An Act
by and with the Advice and Consent of his Lordship's Governor,
and the Upper and Lower Houses of Assembly, and the Authority
of the same, That an Act of Assembly of this Province, entituled, An
Act for preventing Indians, disaffected to the British Interest in
America, from coming into this Province as Spies, or on any other
evil Design, made at a Session of Assembly, begun and held at the
City of Annapolis on the Twenty-third Day of February, One Thou-
sand Seven Hundred and Fifty-six, shall be, and is hereby continued
to be and remain in full Force, for and during the Term of Three
Years, and unto the End of the next Session of Assembly which
shall happen after the Expiration of the said Three Years.

7th April 1760
Read and Assented to
by the Lower House of
Assembly

Signed p order
MMacnemara Cl lo ho

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince, I will this be a Law.

Hor.º Sharpe

7th April 1760
Read and Assented to
by the Upper House of
Assembly

Signed p order
JRoss Cl Up Ho

The Great Seal
in Wax app.t

No. 6 An Act to aid some Proceedings of the Vestry of Port-Tobacco
Parish in Charles County, and to impower the said Parish to elect
Vestrymen and Church-Wardens.

Whereas the Vestrymen of Port-Tobacco Parish, in Charles [Preamble.]
County, by their Petition to the General Assembly of this Province,
have set forth, That the last Easter-Monday happening to be an
excessive Rainy Day, it prevented a sufficient Number of the Vestry-

Liber H. S. men of the said Parish from meeting, to proceed to the Electing of No. 1 Vestrymen and Church-Wardens; by which Means the Parish aforesaid hath not been since fully Represented; that notwithstanding which, the said Vestry thought it their Duty to transact the Business of the said Parish, and have prayed that an Act may be pass to make valid such their Proceedings, as also to impower the said Parishioners to Elect, on the next Easter-Monday, Four Vestrymen and Two Church-Wardens:

[Last Year's Transactions of the Vestry of Port-Tobacco Parish made valid.] Be it therefore Enacted, by the Right Honourable the Lord Proprietary of this Province, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Transactions of the Vestrymen of Port-Tobacco Parish in Charles County, and every Act and Thing by them done as Vestrymen of said Parish, during the last Year, so far as relates to the Taxing of Batchelors in the said Parish, and Choosing Inspectors for Port-Tobacco Warehouse in the County aforesaid, be and are hereby made good and valid, to all Intents and Purposes whatsoever; the aforesaid Omission of the Election of Vestrymen and Church-Wardens notwithstanding.

[Time for Choosing two Vestrymen.] And be it further Enacted, by the Authority aforesaid, That on the First Tuesday of June next, Two sober and discreet Persons, Freeholders of the said Parish, shall be chosen Vestrymen in such Manner as by the Laws of this Province is directed, in the Room of such Two Vestrymen, whose Time of being Vestrymen expired on the Easter-Monday in the Petition aforesaid mentioned; which said Persons, so chosen, shall continue to be Vestrymen until the Easter-Monday which shall be in the Year of our Lord One Thousand Seven Hundred and Sixty-two, and no longer.

[And two others.] p. 383 And be it further Enacted, That on the same Day and Year aforesaid, Two other sober and discreet Persons, Freeholders of the said Parish, shall be chosen Vestrymen, in the Room and Place of the Two eldest Vestrymen of the said Parish; which said Vestrymen, so chosen, shall continue to be Vestrymen until the Easter-Monday which shall be in the Year of our Lord One Thousand Seven Hundred and Sixty-three, and no longer.

[Two Church-wardens to be chosen.] And be it further Enacted, That Two sober and discreet Persons, Freeholders in the said Parish, shall be chosen Church-Wardens of the said Parish, and that the said Church-Wardens, so chosen, shall continue and be Church-Wardens until the Easter-Monday that shall happen in the Year of our Lord One Thousand Seven Hundred and Sixty-one, and no longer; which said Vestrymen and Church-Wardens, so chosen by Virtue of this Act, shall be Qualified in like Manner, and subject to the same Duties, Pains, Penalties, and Forfeitures, as Vestrymen and Church-Wardens are subject to by the

Laws of this Province; any Law, Statute, Usage, or Custom, to the contrary, notwithstanding. Liber H. S.
No. I

7th April 1760
Read and Assented to
by the Lower House of
Assembly
Signed p order
MMacnemara Cl lo ho

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince, I will this be a Law.
Hor.^o Sharpe

7th April 1760
Read and Assented to
by the Upper house of
Assembly
Signed p order
JRoss Cl Up Ho

The Great Seal
in Wax app.t

No. 7 An Act to increase the Salaries of the Inspectors of Snow-Hill Warehouse in Worcester County, and Plymouth Warehouse in Dorchester County.

Whereas it is found by Experience, that the Salaries allowed to the Inspectors of Snow-Hill Warehouse in Worcester County, and the Inspector of Plymouth Warehouse in Dorchester County, by the Act, entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, are too small, and not adequate to the Trouble and Care of the said Inspectors at the said Warehouses : [Preamble.]

Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Sum of Twenty Pounds, over and above the yearly Salary allowed by the said recited Act to the Inspector of Snow-Hill Warehouse in Worcester County, be annually allowed and paid to the Inspector of the said Warehouse; and that the Sum of Ten Pounds, over and above the yearly Salary allowed by the said Act to the Inspector of Plymouth Warehouse, in Dorchester County, be annually allowed and paid to the Inspector of the said Warehouse, in the same Manner as the Salaries to the Inspectors of Warehouses are by the aforesaid recited Act directed and made payable. [Some Inspectors Salaries augmented.]

This Act to be in full Force during the Continuance of the above recited Act.

7th April 1760
Read and Assented to
by the Lower House of
Assembly
Signed p order
MMacnemara Cl lo ho

On behalf of the Right
Honourable the Lord
Proprietary of this Prov-
ince, I will this be a Law.
Hor.^o Sharpe

7th April 1760
Read and Assented to
by the Upper house of
Assembly
Signed p order
JRoss Cl Up Ho

The Great Seal
in Wax app.t

No. 8 An Act for the speedy and effectual Publication of the Laws of this Province; and for the Encouragement of Jonas Green, of the City of Annapolis, Printer.

Liber H. S.
No. 1
p. 384

[*Jonas Green's Duty, as Printer, when a Session of Assembly.*]

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That Jonas Green, of the City of Annapolis, Printer, shall Print, Stitch, and Cover with Marble Paper, Blue Paper, Vellum or Parchment, the Laws made at, and the Votes and Proceedings of the Lower House in, each Session of Assembly, which shall happen during the Continuance of this Act, and shall deliver one Copy of each to the Governor, one other Copy of each to each Member of the Upper and Lower Houses of Assembly, and one Copy of the Votes and Proceedings aforesaid to the Clerk of each House of Assembly, and three Books of the same to every Clerk of the several and respective County Courts of this Province, for the Perusal of the Inhabitants of the several and respective Counties; and a Copy of the Public Laws of every such Session to every Provincial and County Magistrate, and a Copy of the Laws of each Session, bound up in Leather, to the Clerk of each House of Assembly, the High Court of Appeals, the Provincial and each County Court of this Province: all the said Laws to be delivered within three Months, and all the said Proceedings within four Months, next after the End of each respective Session: And the said Jonas Green shall Print proper Marginal Notes to all the said Laws, and shall insert in each Page thereof, the Date of the Year in which each Law contained in such Page was made, and shall, at the End of each Body of Laws, Print a List of all the Laws therein contained, with the Page where each Law is Printed.

[*If a Convention.*]

And whereas it may so happen, that during the Continuance of this Act, there may be a Convention or Conventions of Assembly: Be it Enacted, That in such Case the said Jonas Green shall Print, Stitch, Cover and Deliver, the Votes and Proceedings thereof, in the same Manner, and by the same Time, as is before directed in Case of a Session.

[*His Allowance for the present year 1760.*]

And for Encouraging the said Jonas Green to comply with the several Services and Duties imposed by this Act: Be it further Enacted, That there shall be allowed to the said Jonas Green, the several and respective Sums of Current Money, in the several Counties within this Province, following, to wit, In Baltimore County, Thirty Pounds: Anne-Arundel County, Twenty-five Pounds Ten Shillings: Charles County, Twenty-three Pounds Ten Shillings: Prince-George's County, Twenty-three Pounds: Frederick County, Twenty Pounds Ten Shillings. Queen-Anne's County, Twenty Pounds Five Shillings: Saint Mary's County, Nineteen Pounds Ten Shillings: Dorchester County, Eighteen Pounds Ten Shillings:

Kent County, Eighteen Pounds Five Shillings: Talbot County, <sup>Liber H. S.
No. 1</sup> Seventeen Pounds Fifteen Shillings: Somerset County, Seventeen Pounds Ten Shillings: Worcester County, Sixteen Pounds Fifteen Shillings: Cæcil County, Sixteen Pounds Ten Shillings: Calvert County, Eleven Pounds Ten Shillings: which said respective Sums of Money, the Justices of the several County Courts, within this Province, are hereby impowered and required to allow and assess in their next respective County Levies, together with the Sheriff's Salary of Five Pounds per Cent for Collecting the same. And the said several Sums of Money, so to be allowed and assessed as aforesaid, shall be collected by the respective Sheriffs and paid by them respectively, free from any Abatement or Deduction, to the said Jonas Green, or his Order.

And whereas the last Law for the Encouragement of the said Jonas Green, did expire the Twentieth Day of December, 1758, whereby the said Jonas Green had no Allowance from this Province for the Year 1759: Be it therefore Enacted, That there shall be allowed to the said Jonas Green, for his Services in the said Year, ^{p. 385} the several and respective Sums of Current Money, in the several Counties within this Province, following, to wit. In Baltimore County, Twenty-four Pounds Five Shillings: Anne-Arundel County, Twenty Pounds: Charles County, Eighteen Pounds Ten Shillings: Prince-George's County, Eighteen Pounds: Frederick County, Sixteen Pounds Five Shillings: Queen-Anne's County, Fifteen Pounds Fifteen Shillings: Saint Mary's County, Fourteen Pounds Ten Shillings: Dorchester County, Fourteen Pounds: Kent County, Thirteen Pounds Fifteen Shillings: Talbot County, Twelve Pounds Ten Shillings: Somerset County, Eleven Pounds Fifteen Shillings: Worcester County, Eleven Pounds Five Shillings: Cæcil County, Eleven Pounds: And Calvert County, Eight Pounds Ten Shillings; which said respective Sums of Money last mentioned, the said Justices of the several County Courts within this Province, are hereby impowered and required to assess in their next respective County Levies, and shall be by the respective Sheriffs collected and paid to the said Jonas Green, in Manner and Form aforesaid.

Provided always, and be it hereby Enacted, That it shall and may be lawful for the Taxable Inhabitants of this Province, upon whom the above Sums of Money shall be assessed, to discharge and pay the same in Gold and Silver, at the same Rates as by the Act, entituled, An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, made at a Session of Assembly, begun and held at the City of Annapolis the second Day of October, in the Year of our Lord One Thousand Seven Hundred and Fifty-three, Gold and Silver is directed to be received in all Payments made in Virtue of that Act.

[Proviso, as
to the
Specie he
may be paid
in.]

Liber H. S. And be it further Enacted, and it is the true Intent and Meaning
 No. I of this Act, that the said Jonas Green shall actually reside at An-
 [In case of napolis, during the Continuance of this Act, and shall punctually
 his removal comply with the Terms thereof. And upon the Death of the said Jonas
 &c.] Green, or his Removal, or ceasing to comply with the Terms of this
 Act, on his Part, the Payment of the several Sums of Money herein
 first mentioned and directed to be paid to him, shall cease; any Thing
 herein contained to the contrary thereof, in any wise, notwithstanding.

[County Clerks to give Certi- cates of the Time of their receiving Laws and Votes.] And it is hereby further declared to be the Duty of the several Sheriffs of the respective Counties, and they are hereby directed, not to pay to the said Jonas Green the said respective Sums of Money herein first mentioned, or any Part thereof, so directed to be assessed and levied for his Use, unless it shall be made appear to them severally, by a Certificate from the Clerk of each respective County (which Certificate shall be given by the said Clerks without Fee or Reward) that the Public Laws, and the Votes and Proceedings of every such Session or Convention, during the Continuance of this Act, were Printed and Delivered in Manner and Form, and within the Time by this Act respectively directed; any Thing herein contained to the contrary notwithstanding.

[Sheriffs to forward the Laws and Votes as Public Letters.] And be it likewise Enacted, That the several and respective Sheriffs within this Province, shall, and they are hereby directed and required to receive and forward the said Laws, with the Votes and Proceedings aforesaid, to the Clerks of the several County Courts, and Members of each House of Assembly, as Public Letters are by the Laws of this Province directed to be forwarded.

[Continu- ance.] This Act to continue to the second Day of April, which shall be in the Year of our Lord One Thousand Seven Hundred and Sixty-one.

7th April 1760
 Read and Assented to
 by the Lower House of
 Assembly
 Signed p order
 MMacnemara Cl lo ho

On behalf of the Right
 Honourable the Lord
 Proprietary of this Prov-
 ince, I will this be a Law.
 Hor^o Sharpe

7th April 1760
 Read and Assented to
 by the Upper house of
 Assembly
 Signed p order
 J Ross Cl Up Ho

The Great Seal
 in Wax app^t

p. 386 I do hereby Certify that Reverdy Ghiselin Clerk of the Provincial Court and Secretarys Office of the Province of Maryland this day personally appeared before me the Subscriber One of the Right Honble the Lord Prop^{ry} of the Province afs^d his Council of State and made Oath on the Holy Evangel^s of Almighty God that he carefully examined all the Laws contained in this Book beginning

at folio 380 and ending at folio 385 with the Original Acts that passed the Great Seal.

Liber H. S.
No. 1

Sworn to this Day of Anno Dom 1762 [sic]

 The Seal of the Provincial Court is hereunto affixed
On behalf of Benjamin Tasker Jun.^r Esq.^r Deputy Secretary of Maryland

P [Reverdy Ghiselin Clerk of the
Secretary's Office & Provincial Court]

PROCEEDINGS AND ACTS
OF THE
GENERAL ASSEMBLY OF MARYLAND

At a Session Held at Annapolis, September 26—October 15, 1760.

*Being the Fifth Session of the Assembly Elected in
September, 1758*

FREDERICK CALVERT, LORD BALTIMORE,

Lord Proprietary.

HORATIO SHARPE,

Governor.

PROCEEDINGS
OF THE
UPPER HOUSE OF ASSEMBLY

At a session of Assembly begun & held at the City of Annapolis U. H. J.
on Friday the 26th day of Septem in the 10th Year of his Lordships Liber No. 35
Dominion Annoq Domini 1760 1760 Sept. 26th

U. H. J.
Liber No. 35
1760
Sept. 26th
p. 442

Present

His Excellency Horatio Sharpe Esq ^r Governor									
The honble	<table border="0"> <tr> <td style="padding-right: 10px;">Benj^a Tasker Esq^r</td> <td style="border-left: 1px solid black; padding-left: 10px;">Col^o Benj^a Tasker</td> </tr> <tr> <td style="padding-right: 10px;">Col^o Hammond</td> <td style="border-left: 1px solid black; padding-left: 10px;">Bened.^t Calvert Esq^r</td> </tr> <tr> <td style="padding-right: 10px;">Sam^l Chamberlaine</td> <td style="border-left: 1px solid black; padding-left: 10px;">Step Bordley Esq^r</td> </tr> <tr> <td style="padding-right: 10px;">Col^o Lloyd</td> <td></td> </tr> </table>	Benj ^a Tasker Esq ^r	Col ^o Benj ^a Tasker	Col ^o Hammond	Bened. ^t Calvert Esq ^r	Sam ^l Chamberlaine	Step Bordley Esq ^r	Col ^o Lloyd	
Benj ^a Tasker Esq ^r	Col ^o Benj ^a Tasker								
Col ^o Hammond	Bened. ^t Calvert Esq ^r								
Sam ^l Chamberlaine	Step Bordley Esq ^r								
Col ^o Lloyd									

Mess^{rs} Goldsborough and Travers acquaint his Excellency there is a Sufficient Number of Members of the Lower House met and wait his Excellencys Commands

Col^o Hammond and Samuel Chamberlain Esqr are sent to the Lower House to acquaint the Speaker that his Excellency requires his immediate Attendance with the Lower House in the Upper House

The Lower House attend and his Excellency is pleased to make the following Speech

Gentlemen of the Upper and Lower House of Assembly

You are at this time Convened in Consequence of a letter which I lately received from the officer Commanding his Majesties Forces on Lake Erie and the River Ohio wherein, after intimating that the Service of the Regular Troops commanded by his Excellency General Amherst will be wanted in Some other Quarter he Signifies to me, that for the Support of his Majesties Rights on that Lake and River, it will be Absolutely necessary that this Province should furnish at least two Hundred Men with a proportionate Number of Commissioned officers and Non Commissioned Officers who together with the Provincial Troops in the pay of the Neighbouring Colonies may be employed in Garrisoning his Majesties Forts in that Department such are the Contents of General Moncktons Letter which it is my Duty to recommend to Your immediate Consideration and as the service that you are desired to provide for, is so very Essential and the Generals Requisition may be so easily complied with I flatter myself You will most Clearly embrace the Opportunity that is now given you of Contributing towards the Preservation of his Majesties Rights in this Part of America and of removing in Some

U. H. J.
Liber No. 35
Sept. 26th

degree the unfavourable Opinion which the Measures that have from some time been unhappily pursued here, have inclined many besides his Majesties Generals on this Continent to entertain of the People of Maryland

If Gentlemen after you have made Provision for the Service which I have recommended to your Consideration you shall think fit to proceed to Other Business you may be Assured of my ready Concurrence in any Measure likely to promote the Ease Interest and Prosperity of the Inhabitants of this Province

Mess^{rs} Lloyd and Southern attend with M^r Matthew Tilghman a Member Elected for Queen Anns County, and M^r William Thomas a Member Elected for S^t Marys County in Order to See them qualified, who take the Several Oaths to the Government prescribed by Law, repeat and Subscribe the Abjuration and Test and then withdrew

p. 443 A Message from the Lower House by Mess^{rs} Earl & Stoddert

By the Lower house of Assembly 26th September 1760
May it please your Honours

This house hath appointed M^r Lloyd, M^r Dulany, M^r Earl, M^r Worthington M^r Hanson and M^r Stoddert a Committee from this House to Inspect the Accounts and Proceedings of the Commissioners or Trustees for emitting Bills of Credit established by Act of Assembly and desire yours Honours to appoint One or more of the Members of your House to join in the said Committee

Signed p Order M. Macnemara Clk. Lo. Ho

The following is Sent by Samuel Chamberlain Esq^r

By the Upper House of Assembly 26th September 1760
Gentlemen

This House hath named Samuel Chamberlain Esq^r to join the Members appointed by your House in a Committee to inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office

Signed p John Ross Clk. Up. Ho

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Sept. 27

Saturday Morning 27th September 1760

This House met again according to Adjournment

Present as Yesterday
Adjourned till Monday Morning ten of the Clock

U. H. J.
Liber No. 35
Sept. 27

Monday Morning 29th September 1760
This House met again according to Adjournment

Sept. 29

Present

The honble { Benj^a Tasker
Sam^l Chamberlain Esq^r
Col^o Lloyd } Col^o Tasker
Bened^t Calvert Esq^r
Stephen Bordley Esq^r

The honble Benjamin Tasker Esq^r attended by the Members of this house presents to his Excellency the following Address.

To his Excellency Horatio Sharpe Esq^r Governor and Commander in Chief in and Over the Province of Maryland

The Humble Address of the Upper House of Assembly

May it please your Excellency

We return your Excellency our Sincere thanks for your Speech at the Opening of this Session and being highly Sensible of His Majesties Goodness in having hitherto So effectually Protected the British Settlements on this Continent and of the Expediency of Still pushing his Enemies in order of a Safe and Honourable Peace we shall heartly join in every just and reasonable proposal for enabling his Majesties officers here to employ his Arms in the most Effectual Manner towards executing so great and Salutary a Measure

We assure Your Excellency that nothing in our power shall be wanting towards affording to the People of this Province all the Ease and Relief they themselves can wish or desire Consistent with our Constitution with Public faith and with its Offspring Public Credit

p. 444

Benj^a Tasker Presd^t

His Excellency is pleased to communicate to this House the following Message

Gentlemen of the Upper House of Assembly

Having since you adjourned last Saturday had the Satisfaction to receive a Letter from General Amherst dated at Montreal the 9th Instant in which His Excellency hath been pleased to give an Account of the Motions Kings Forces under his Command since the 26th of August and to inform me that in Consequence thereof the whole Country of Canada was Yielded to the Dominion of his Majesty our most Gracious Sovereign on the 8th of this Month It is with highest Satisfaction I now communicate to you this Intelligence and being assured that your Joy thereat will not be

U. H. J. exceeded by the Joy of any of His Majestys dutiful and Loyal
 Liber No. 35 Subjects on this Occasion I most Sincerely Congratulate you on so
 Sept. 29 interesting and happy an Event

Horatio Sharpe

The 29th of September 1760

The Honble Benjamin Tasker Esq^r Attended by the Members
 of this House presents to his Excellency the following Address
 To his Excellency Horatio Sharpe Esq^r Governor and Commander
 in Chief in and Over the Province of Maryland

The Humble Address of the Upper House of Assembly
 May it please Your Excellency

We Return your Excellency our Sincere thanks for the Intelligence
 you have been pleased this Morning to give us of the late
 Glorious Success of his Majestys Arms under General Amherst
 in the Entire Reduction of Canada. An Event in itself so great and
 so happily Adapted to the future Security of this Continent as the
 Production of a General Safe and Honourable peace must necessarily
 fill the Hearts of all his Majestys Subjects with the Highest
 Sence of Joy and Gratitude And We Begg leave to return your
 Excellencys Kind Congratulation on this Happy Occasion

Benj^a Tasker Presid^t

Samuel Chamberlain Esq^r brings in the following Report
 Maryland ss.^t

At a meeting of the Commissioners appointed by the Act of
 Assembly entitled An Act for Granting a Supply of Forty Thousand
 Pounds for his Majesty's Service and Striking thirty four Thousand
 and fifteen Pounds six Shillings thereof in Bills of Credit and
 raising a Fund for Sinking the same to compute and ascertain the
 Rate of an additional Tax on Lands in Case of a Deficiency of the
 Funds raised by Virtue of the said Act and the Acts therein mentioned
 on the first Monday of this Instant Aug^t Anno Dom: 1760

Were Present
 the Honble { Samuel Chamberlaine
 Benj.^a Tasker } Esq^{rs}
 &
 William Murdock
 Matt.^w Tilghman
 Robert Loyd
 Charles Carroll } Esq^{rs}

p. 445 Who make Choice of and appoint Mr Beale Nicholson to be their
 Clerk and proceeded to examine into the State of the Several Funds
 The Commissioners adjourn til Tomorrow 9 O Clock

Tuesday the 5th August 1760

U. H. J.
Liber No. 35
Sept. 29

They met accordingly present as yesterday and continued their Examination of the Several Funds

They Adjourn til 2. O Clock & met accordingly

The Honble Richard Lee Esq^r appears

The Commissioners adjourn til to Morrow 9. O Clock

Wednesday 6th August 1760

They met accordingly, present as yesterday, and further proceeded in the Examination of the State of the Several Funds

They adjourn til 2. O. Clock and met accordingly and Continued their Examination

They adjourn til To Morrow 9. O Clock

Thursday the 7th August 1760

They met accordingly, present as yesterday and took under their Consideration the Sum of £2121 part of the £40,000, raised by the said and appropriated to the payment of Indian Scalps and as it appeared to them highly improbable that the said sum should be called for or applied to the purpose for which it was granted were of Opinion that it was unnecessary and unreasonably burthensome to provide for replacing the Same

They adjourned til 2 O Clock met and having finished the Examination of the Several Funds and made an Estimate of the Amount thereof in five years by which it appeared there would be a Deficiency of £14148..4..7 including £500 they proceeded to compute and ascertain the Rate of the Additional Tax which was Settled at 7^s/7^d p hundred Acres with the further sum of 7^s/7^d on all Lands held by any Papist or reputed Papist refusing or neglecting to take the Oaths prescribed by the said Act of which Rate Certificates were immediately made out under the hands and Seals of the Commissioners directed to the Collectors of the Land Tax of Each respective County

They Adjourned til To Morrow 9 O Clock

Friday 8th August 1760

Met, present as yesterday, and having revised the whole proceedings sent for the Deputy Sheriff of Ann Arundel County, and delivered to him the Certificates above named Inclosed and Indorsed for his Lordships Service

Signed p Order, B: Nicholson Clk

U. H. J. An Estimate of what the Several Taxed Duties Impositions &c
Liber No. 35 of £40,000 Act and the Acts therein mentioned to be continued
Sept. 29 will amount to in 5 Years

Amount of the Duties &c Paid into the office in four years under the £40,000 Act as appears by the Commissioners Books	£16732..4..6
Deficiency in Payment by Sundry Officers on your years Collection estimated by preceeding Collections Vizt	
p. 446 Bot ^t Over	£16732.. 4.. 6
John Fendall	401..12.. 0
Exors of John Smith...	14.. 9.. 9
Turnor Wootton	98.. 5.. 6
William Hedges	343.. 9.. 6
William Rason	158.. 4.. 0
Hercules Coutts	120.. 0.. 0
James Dixson	579..18.. 0
William Ireland	2.. 0.. 0
	18450.. 3.. 3
Amount of the duties &c under the £6000 Act for four years as nearly as could be estimated....	} 4672.. 5.. 5
	23122.. 8.. 8
Averaged Rate	5780..12.. 2
The whole Amount of Duties in 5 years.....	£28903.. 0..10

Dr Cash Brought to the Office under the £40,000 Act C^r

To the Amount of payment on
the 4 years Collection.....} £16732.. 4.. 6

To Deficiency on Said Collection.. 1717..18.. 9

To the Amount of the 5th Years
Collection

To the Remainder of the Money
Appropriated for the payment
of Indian Scalps never paid
out of the Office.....} 2121.. 0.. 0

Deficiency	26351..15.. 5
	13648.. 4.. 7
	500.. 0.. 0

£40,500.—..—

Maryland ss^t

We the Subscribers being a Majority of the Surviving Commissioners appointed by an act for granting a Supply of forty

U. H. J.
Liber No. 35
Sept. 29

Thousand Pound for his Majesty Service & Striking thirty four Thousand and fifteen Pounds Six Shillings thereof in Bills of Credit and raising a fund for Sinking the same to compute and ascertain the Rate of an Additional Land Tax in case of a Deficiency of the funds hereby Certify that the Rate by way of Additional Tax on Lands to be imposed in the Same manner with the Land Tax by the said Act imposed Sufficient to make good such Deficiency adding thereto the Sum of five hundred Pounds is seven Shillings and Seven pence per hundred Acres on all Tracts or Parcels of Land within this Province and so inproportion of a greater or less Quantity with the further Sum of Seven Shillings and Seven pence for every hundred Acres held by any Papist or reputed Papist of the Age of Eighteen years or upwards who Shall refuse or neglect to take the Several Oaths to the Government and Sign the Oath of abjuration and the test now by Law Established and so inproportion for a greater or less Quantity to be Collected Levied Accounted for and Paid in the same manner to all Intents and purposes as the Land Tax by the Said Act imposed, is directed to be Collected Levied Accounted for and In Witness whereof We have hereunto set our hands and Seals this Seventh Day of August 1760

p. 447

A Bill from the Lower house by Mess^{rs} Tilghman and Goldsborough Entered an Act for easing the Inhabitants of this Province from the Great and unequal Burthen of the Additional Land Tax thus endorsed

By the Lower House of Assembly 29th September 1760

Read the first & Second time by Especial Order & will pass

Signed p Order M. Macnemara Clk. Lo. Ho

Read the first time in this House & ordered to lye on the Table

Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning 30th September 1760

Sept. 30

This house met again according to Adjournment

Present as Yesterday & Col^o Hammond

Read the Petition of Hugh Carrigan and Thomas Rolles Soldiers enlisted in the Maryland Service in 1757 who were taken Prisoners by the French and sent to Mississippi and from thence to Old France praying Some Recompence for their past Services, Referred & Sent by Col^o Lloyd

His Excellency is pleased to communicate to this House the following Message

Gentlemen of the Upper House of Assembly

Being well assured that You have a due Sense of the Paternal Care which his Majesty our most gracious Sovereign hath shewn

U. H. J. for his Subjects on this Continent by protecting them so effectually,
 Liber No. 35 I am perswaded you will manifest your Gratitude by your Readiness
 Sept. 30 on All Occasions to promote his Service, Nor can I doubt your
 Inclination to advance the happiness & Welfare of the People of this
 Province, on your Willingness to gratify their just and reasonable
 Desires

Horatio Sharpe

Read the Petition of John Eversfield jun.^r Clerk praying Leave
 to bring in a Bill to cut off the Entail of Certain Tracks of Land
 therein mentioned; Rejected

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the Petition of Sundry Inhabitants in and near Queens
 Town in Queen Anns County praying an Act may pass to prevent
 the Swine from runing at large in the said Town; Referred—Read
 the Petition of David Polke & Tho.^s Moore Inspectors in Somerset
 County John Maddox & Panther Laws and of James Gunby and
 Kellum Langford Inspectors in Worcester County praying an Allow-
 ance may be made them for former Services, and an Addition to
 their present Salary; Referred & sent by Bened.^t Calvert Esq^r

Read the Petition of John Scarburgh of Worcester County pray-
 ing an Allowance may be made him for Some Expences for Work
 done to an Inspection house in the said County, the said house
 being refused as an Inspection house by the Court Rejected

p. 448 Adjourned till to Morrow Morning ten of the Clock

Oct. 1

Wednesday Morning 1st October 1760

This house met again according to Adjournment

Present as Yesterday

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Read the second time the Bill Ent^d An Act for easing the In-
 habitants of this Province from the Great and unequal Burthen of
 the Additional Land Tax and will pass with the following Amend-

ments In Page 3^d Line 18th put, or, instead of and, Leave out the pages 4 & 5 In the 3^d and 4th line of 6th Page Leave out the Honourable Samuel Chamberlaine Philip Thomas Benjamin Tasker, jun^r Richard Lee and Benedict Calvert Esq^{rs} and a Blank space, to be left, to be filled up with names by this House. In the 9th line of the same page, leave out the Word, three, and insert one; In the 13th line of the same page instead of eight put five, & in the next line instead of Eight put the next ensuing: In 16th line of the same page instead of, two, put, five then: In the 20th line of the Same page, instead, of, Eight, put Six: In the 7th line of the 7th page instead of, three, put one: In the 16th line of the 8th page instead of three, put one; and leave out the proviso in the Same page; In the 9th Page, line 6th instead of, four put two

U. H. J.
Liber No. 35
Oct. 1

Signed p Order John Ross Clk. Up. Ho.

Sent by Stephen Bordley Esq^r

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 2^d October 1760

Oct. 2

This house met again according to Adjournment

Present as Yesterday

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

His Excellency is pleased to communicate to this house the following Message

Gentlemen of the Upper House of Assembly

The Right Honble: Lord Colvill Commander in Chief of his Majestys Ships in the River St Lawrence having desired as you will See by the inclosed Letters that a Number of French Prisoners most of them Soldiers whom he has been under a Necessity of Sending to this Province may on their Arrival be taken Care of, I must recommend it to you to make proper Provision for the Support of the French Prisoners that are already arrived and of Such Others as may be expected.

The 2^d October 1760

Horatio Sharpe

S^r

We have a number of French Prisoners here, which are very inconvenient to us at this Juncture; And as I have no opportunity of Sending them to England, I am under a Necessity of disposing of

p. 449

U. H. J. them as well as I can; therefore I send a few by each Vessel that
 Liber No. 35 Sails from hence to his Majesties Colonies; and I pray the favour of
 Oct. 2 you to Order those that may arrive in your Government, to be taken
 care of in the Usual manner and the Masters of the Vessels Satisfied
 for any expence they may be at on this Account

I am Sr your most Humble Serv^t
 Colvill

P S. The Nettleton carries eight & I have Sent Six Weeks pro-
 visions with them & Some Water

Northumberland at Quebec 25th July 1760

Sr

We have a Number of French Prisoners here which are very
 inconvenient to us at this Juncture, and as I have no opportunity
 of Sending them to England, I am under a Necessity of disposing
 of them as well as I can, therefore I send a few by each Vessel that
 Sails from hence to his Majesties Colonies; And I pray the favour
 of you to Order those that may Arrive in your Government, to be
 taken care of in the Usual manner And the Masters of the Vess
 Satisfied for any expence the may be at on this Account

I am Sr your Most Humble Serv^t
 Colvill

P S The Prince Frederick carries seven I have Sent Six Weeks
 provision with them & Some Water

Northumberland at Quebec 25th July 1760

Sr

We have a number of french Prisoners here which are very
 inconvenient to us at this Juncture; And as I have no opportunity
 of Sending them to England. I am under a Necessity of disposing
 of them as well as I can; therefore I send a few by each Vessel that
 Sails from hence to his Majesties Colonies, and I pray the favour
 of you to Order those that may arrive in your Government to be
 taken care of in the usual manner. and the Masters of the Vessels
 Satisfied for any expence they may be at on this Account

I am Sr your most Humble Serv^t
 Colvill

P S The Volunteer carries six & I have Sent Six Weeks provisions
 with them & some Water

Northumberland Quebec 25th July 1760

Adjourned till to Morrow Morning ten Of the Clock

Friday Morning 3^d October 1760

U. H. J.
Liber No. 35
Oct. 3

This house met again according to Adjournment

Present as Yesterday

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 4th Octob^r 1760

Oct. 4

This house met again according to Adjournment

Present as Yesterday except Col Hammond

A Message from the Lower house by Mess^{rs} Goldsborough and Steuart with the Bill for easing the Inhabitants of this Province p. 450 from the great and unequal Burthen of the Additional Land Tax

By the Lower House of Assembly 4th October 1760

May it please Your Honours

We have considered the Amendments proposed by your Honours to the Bill for Easing the Inhabitants of this Province [etc.]. [*The message beginning thus is printed in full in Lower House Journal, pp. 366-368*]

Adjourned till Monday Morning 10 of the Clock

p. 451

Monday Morning 6 October 1760

Oct. 6

This house met again according to Adjournment

Present

The honble { Benj.ⁿ Tasker Esq^r } Bend^t Calvert Esq^r
 { Sam.^l Chamberlaine Esq^r } Stephen Bordley Esq^r

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to morrow Morning ten of the Clock

Tuesday Morning 7 October 1760

Oct. 7

This house met again according to Adjournment

Present as Yesterday & Col Hammond

Adjourned till 3 of the Clock in the Afternoon

U. H. J.
Liber No. 35
Oct. 7

Eodem Die post Meridiem
This house met again according to adjournment

Present as in the Morning
Adjourned till to morrow Morning ten of the Clock

Oct. 8

Wednesday Morning 8th October 1760
This house met again according to Adjournment

Present as Yesterday
Adjourned till 3 of the Clock in the afternoon

p. 452

Eodem Die post Meridiem
This house met again according to Adjournment

Present as in the Morning
Adjourned till to Morrow Morning ten of the Clock

Oct. 9

Thursday Morning 9th October 1760
This house met again according to Adjournment

Present as Yesterday
The following Message with the Bill for easing the Inhabitants of this Province from the Great and unequal Burthen from the Additional Land[-Tax] is Sent by Benedict Calvert Esq^r

By the Upper House of Assembly 9th October 1760
Gentlemen

Although we were of Opinion when we proposed the Several Amendments that are indorsed on the bill entituled An Act for Easing the Inhabitants of this Province from the great and unequal Burthen of the Additional Land Tax, and Still think that it would be advisable on many accounts, for us to extend at this time, the Duration of the Act for granting a Supply of £40,000 for his Majesties Service that was passed in 1756 for one Year only, beyond the term for which it was Originally intended to remain in force. Yet as the Funds that were appropriated to Sink the Bills of Credit which were emitted by Virtue of that Act have proved deficient beyond all our Expectations and we think it just and expedient that the Land Holders in this Province should be in some measure relieved from the great and unequal Burthen which is about to fall on them We are willing to agree to your Proposition for continuing the £40,000 Act for the Term of two years after the Term when it would otherwise expire, But as we are far from being Satisfied that no ill consequence would follow from the Collectors being directed

By the Bill in Question to receive Gold and Silver Specie at different Ratio from those at which it is now, in Consequence of an Act of Assembly paid by the Inhabitants of this Province in discharge of Officers fees and Publick Debts, and unless it was to be paid at higher Rates into the Loan Office it is evident that the Value of our Paper Currency would be greatly depreciated, We are determined to adhere to our second Amendment being at the same time persuaded that the People who may want paper Money to pay the Taxes with which they shall be charged under the £40,000 Act and the continuing Bill proposed, will be able to procure it a Lower Exchange than thirty three and a third Advance upon Sterling As you were not ignorant, Gentlemen after what method the Commissioners were named by the two Houses at the time when the £40,000 Act was framed we wish you had not attempted to introduce a new mode on the present Occasion because it looks as if you were fond of Innovations however as you seem to acknowledge the Propriety of an Objection to that part of the Bill, We wave all disputes with you on this Head and have nominated Sam.¹ Chamberlaine Benjⁿ Tasker jun^r Bend^t Calvert Daniel Dulany & Stephen Bordley Esq^{rs} to join the members named By your House as Commissioners for the purposes in the Said Bill mentioned. These Amendments being to the Bill which we have now returned you the same will pass

U. H. J.
Liber No. 35
Oct. 9

Signed p Order J Ross Clk. Up. Ho.

Benjamin Tasker Esq.^r attended by the Members of this house p. 453 presents to his Excellency the following Address

To his Excellency Horatio Sharpe Esq.^r Governor and Commander in Chief in and over the Province of Maryland

The humble Address of the Upper house of Assembly

May it please Your Excellency

We beg leave to assure your Excellency that pursuant to your Message relating to the French Prisoners sent from Canada to this Province by the Right honble the Lord Colville Commander in Chief of his Majestys Squadron in those parts We shall very chearfully concur with any Proposal for making a proper Provision for their support which may be offered to Us

Benjⁿ Tasker President

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

U. H. J.
Liber No. 35
Oct. 10

Fryday Morning 10th October 1760
This house met again according to adjournment

Present as Yesterday

Mess^{rs} Dulany & Hanson a Bill Ent^d an Act for conveying and transporting the French Prisoners therein mentioned to England. Thus Endorsed by the Lower House of Assembly 9th October 1760

Read the first time & ordered to lye on the Table

Signed p Order M. Macnemara Clk. Lo. Ho.

By the Lower House of Assembly 10th October 1760

Read the Second time by Esp^l Order and will pass

Signed p Order M. Macnemara Clk. Lo. Ho.

Read the first time in this House & ordered to lye on the Table

Eodem Die post Meridiem

This house met again according to adjournment

Present as in the Morning

Mess^{rs} Gassaway and Carroll attend with M^r John Hammond Elected for Ann Arundel County in the Room of Philip [Hammond] deceased. See him Qualified who take the Several Oaths to the Government required by Law repeats and Subscribes the Abjuration and Test and then withdrew

Adjourned till to Morrow Morning 10 of the Clock

Oct. 11

Saturday Morning 11th October 1760

This house met again according to Adjournment

p. 454

Present as Yesterday

A Bill by Tilghman and Hammond Entered an Act for granting a Supply of Thirty Two Thousands for his Majesties Service and for defraying the Expences heretofore incurred for the Defence and Security of the Frontier Inhabitants of this Province and for other purposes therein mentioned. Thus Endorsed by the Lower House of Assembly 8th October 1760

Read the first time & ordered to lye on the Table

Signed p Order M. Macnemara Clk. Lo. Ho.

By the Lower House of Assembly 11th October 1760

Read the Second time & will pass

Signed p Order M. Macnemara Clk. Lo. Ho.

By the Upper House of Assembly 11th October 1760

Read the first time & will not pass

Signed p Order John Ross Clk. Up. Ho.

Sent By Benedict Calvert Esq^r

U. H. J.
Liber No. 35
Oct. 11

Five Bills by Mess^{rs} Sulyvan & Owings. One Entered an Act to augment the Salaries of Several Inspectors. An Act for the Speedy Recovery of Small Debts out of Court before one Justice of the Peace An Act for the Gauge of Barrels for Pork Beef Pitch Tarr Turpentine and Tare of Barrels for Flour or Bread An Act continuing an Act for Relieving the Inhabitants of this Province from some aggrievances in the prosecution of Suits of Law & for Continuing the Supplementary Act thereto An Act Continuing an Act Entered A Supplementary Act to the Act Entered. An Act ascertaining the heighth of Fences to prevent the Evil occasioned by the Multitude of Horses and restraining Horse Rangers with this Province, and to redress the great Evil accruing to this Province by the Multiplicity of Useless Horses Mares and Colts that run in the Woods. Severally thus Endorsed

By the Lower House of Assembly 11th October 1760

Read the first & Second time by Especial Order & will pass

Signed p Order M. Macnemara Clk. Lo. Ho.

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again According to Adjournment

Present as in the Morning

An Engrossed Bill from the Lower house by Mess^{rs} Murdock and Earl Entituled An Act for Easing the Inhabitants of this Province from the great and Unequal Burthen of the Additional Land Tax, Thus subscribed

By the Lower House of Assembly 11th October 1760

Read and assented

Signed p Order M. Macnemara Clk. Lo. Ho.

Read and assented to by this house & ordered to be so Subscribed p. 455 the Paper Bill so endorsed is Sent by Richard Lee Esq^r

Adjourned till Monday Morning ten of the Clock

Monday Morning 13th October 1760

Oct. 13

This House met again according to Adjournment.

Present

The honble	{ Benj ^a Tasker Esq ^r	Richard Lee Esq ^r	}	Col Cha. ^s Hammond	Bened ^t Calvert Esq ^r		
						Col Edw ^d Lloyd	Col. R. J. Henry
						Col. Benj ^a Tasker	Stephen Bordley

Adjourned till 3 of the Clock in the Afternoon

U. H. J.
Liber No. 35
Oct. 13

Eodem Die post Meridiem
This house met again according to adjournment

Present as in the Morning

Col Henry and Stephen Bordley Esq.^{rs} are Sent to the Lower House to acquaint the Speaker that his Excellency requires his and the Lower House's Attendance immediately, in the Upper House

The Lower House attend and by their Speaker present to his Excellency the Bill Entituled An Act for easing the Inhabitants of this Province from the great and unequal Burthen of the Additional Land Tax, Which his Excellency passed into a Law in the usual manner

Read the first & Second time by Especial Order

The Bill entituled: An Act continuing an Act entituled an Act Act for relieving the Inhabitants of this Province from Some Aggrievances in the prosecution of Suits at Laws &c the Bill entituled: An Act continuing an Act entituled a Supplementary Act to the Act entituled an Act Ascertaining the height of Fences &c

The Bill entituled: An Act continuing an Act entituled an Act for the Gauge of Barrels, for Pork, Beef Pitch Tar; Turpentine &c

The Bill entituled An Act continuing an Act entituled An Act for the Speedy Recovery of Small Debts out of Court before one Justice of the Peace

The Bill entituled. An Act to augment the Salaries of Several Inspectors Passed & sent by Col. Henry

Read the second time the Bill Entered An Act for conveying and transporting the French Prisoners therein mentioned to England, and will pass, with the following Amendments, In the 10th line of the first page after the Word, That, insert the Names, James Dick and Lancelot Jacques, in the 2^d page ofter the 12 Line, insert as follows, And Be it further enacted by the Authority af^d that a Commission at the Rate of five Pounds p Centum be taken and retained by the Commission aforesaid. for their Trouble in the Execution of this Act

Signed p Order John Ross Clk. Up. Ho

Sent by Col Lloyd

Adjourned till to Morrow Morning ten of the Clock

Oct. 14
p. 456

Tuesday Morning 14th October 1760
This house met again according to Adjournment

Present as Yesterday except Col Hammond

To Bills from the Lower house by Mess^{rs} Hopper and Dorsey, One Entituled An Act to remedy some Evils relating to Servants;

and an Act reviving and continuing an Act Entituled An Act direct- U.H.J.
ing the Manner of punishing Fornication and Adultery before a Liber No. 35
Single Justice of The Peace out of Court thus Endorsed Oct. 14

By the Lower house of Assembly 13th October 1760

Read the first time & Ordered to lye on the Table

Signed p Order M. Macnemara Clk. Lo. Ho

By the Lower house of Assembly 13th October 1760

Read the Second time by Especial Order & will pass

Signed p Order M. Macnemara Clk. Lo. Ho

Read the first time in this house & ordered to lye on the Table

Adjourned till 3 of the Clock in Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Five Engrossed Bills from the Lower House by Mess^{rs} Worth-
ington and Stoddart Viz^t An Act continuing an Act entituled an
Act for the Gauge of Barrels for Pork Beef Pitch Tar Turpentine,
and Tare of Barrels for Flour or Bread

An Act continuing an Act entituled an Act for Relieving the
Inhabitants of this Province from some Aggrievances in the Prose-
cution of Suits at Law and for continuing the Supplementary Act
thereto

An Act continuing an Act entituled An Act for the Speedy re-
covery of Small Debts out of Court before one Justice of the Peace

An Act continuing an Act entituled, A Supplementary Act to the
Act entituled an Act ascertaining the height of Fences, to prevent
the Evil occasioned by the Multitude of Horses and restraining
Horse Rangers within this Province; and to redress the great Evil
accruing to this Province by the Multiplicity of Useless Horses
Mares and Colts that run in the Woods

An Act to augment the Salaries of Several Inspectors, Severally
thus Subscribed

Read & Assented to by the Lower House of Assembly

Signed p Order M: Macnemara Clk. Lo: Ho:

Which were severally read and assented to by this house & or-
dered to be so Subscribed

Read the Second time by Especial Order the Bill Ent.^d An Act
continuing An Act Entituled An Act to remedy some Evils relating
to Servants passed & Sent by Stephen Bordley Esq^r

Read the Second time by an Especial Order the Bill Entituled p. 457
An Act directing the Manner of punishing Fornication and Adultery

U.H.J. before a single Justice of the Peace, and will not pass, & Sent by
Liber No. 35 Richard Lee Esqr
Oct. 14

[*Editor's Note: The journal for this session of the Upper House as recorded in the original official manuscript liber ends abruptly at this point in the midst of the proceedings for October 14th, the day preceding the last day of the session. As indicated by the continuous pagination of the official liber and by the fact that the last entry ends abruptly on the third line of page 457, with the remainder of this page blank, the omission is unquestionably contemporary and not due to a later mutilation of the liber. It seems probable that the Clerk of the Upper House lost his rough notes of the proceedings and did not dare enter them from memory when, at a later date, he made the official copy from his rough notes. Fortunately, the hiatus covering the last day and a half of the session is in large part supplied by the journal of the Lower House.]*

PROCEEDINGS
OF THE
LOWER HOUSE OF ASSEMBLY

At a Session of Assembly held at the City of Annapolis, on Friday the 26th Day of September, in the Year of our Lord One Thousand Seven Hundred and Sixty, and in the Tenth Year of the Dominion of the Right Honourable Frederick, Absolute Lord and Proprietary of the Provinces of Maryland and Avalon, Lord Baron of Baltimore, &c. (his Excellency Horatio Sharpe, Esq; being Governor), appeared in the Lower House of Assembly, the following Delegates, viz.^t

L. H. J.
Liber No. 51
1760
Sept. 26
p. 280

The Honourable Col. Henry Hooper, Speaker.

For St. Mary's County,

Mr. H. Greenfield Sothoron,
Mr. Thomas Greenfield.

For Baltimore County,

Mr. William Govane,
Mr. Samuel Owings.

For Kent County,

Major William Hynson,
Mr. Richard Gresham.

For Cæcil County,

Mr. Michael Earle,
Mr. Henry Baker,
Mr. Francis Mauldin.

For Anne-Arundel County,

Capt. John Gassaway,
Mr. Charles Carroll.

For Prince-George's County,

Mr. William Murdock,
Mr. George Fraser,
Mr. Francis King.

For Calvert County,

Mr. Edward Gantt.

For the City of Annapolis,

Mr. Walter Dulany,
Dr. George Steuart.

For Charles County,

Mr. John Hanson, junior,
Mr. John Trueman Stoddert.

For Queen-Anne's County,

Col. Edward Tilghman,
Mr. Robert Lloyd.

For Talbot County,

Mr. John Goldsborough,
Mr. Pollard Edmondson,
Mr. Samuel Bowman.

For Worcester County,

Mr. Parker Selby.

L. H. J. Liber No. 51 Sept. 26	For Dorchester County, Mr. Daniel Sulivane, Mr. Charles Goldsborough, Col. Henry Travers.	For Frederick County, Capt. Joseph Chapline, Col. Thomas Cresap.
--------------------------------------	--	--

A sufficient Number of Delegates to compose a Lower House of Assembly having met at the Stadt-House;

Ordered, That Mr. John Goldsborough and Col. Travers do acquaint his Excellency the Governor therewith.

They return and acquaint Mr. Speaker, That they delivered the Message.

Col. Hammond, and Samuel Chamberlaine, Esq; from the Upper
p. 281 House, acquaint Mr. Speaker, That the Governor requires the Attendance of the Lower House of Assembly immediately in the Council Chamber.

Mr. Speaker left the Chair, and (with the Rest of the Members of the Lower House) went to the Council Chamber; where his Excellency made the following Speech, viz.

Gentlemen of the Upper and Lower Houses of Assembly,

You are at this Time Convened, in Consequence of a Letter which I lately received from the Officer Commanding his Majesty's Forces on Lake Erie and the River Ohio, wherein, after intimating that the Service of the Regular Troops commanded by his Excellency General Amherst will be wanted in some other Quarter, he signifies to me, that for the Support of his Majesty's Rights on that Lake and River it will be absolutely necessary, that this Province should furnish at least Two Hundred Men, with a proportionate Number of Commissioned and Non-Commissioned Officers, who, together with the Provincial Troops in the Pay of the neighbouring Colonies, may be employed in Garrisoning his Majesty's Forts in that Department. Such, Gentlemen, are the Contents of General Monckton's Letter, which it is my Duty to recommend to your immediate Consideration; and as the Service that you are desired to provide for is so very Essential, and the General's Requisition may be so easily complied with, I flatter myself you will more chearfully embrace the Opportunity that is now given you of contributing towards the Preservation of his Majesty's Rights in this Part of America, and of removing, in some Degree, the unfavourable Opinion which the Measures that have for some Time been unhappily pursued here, have inclined many, besides his Majesty's Generals on this Continent, to entertain of the People of Maryland.

p. 282 If, Gentlemen, after you have made Provision for the Service which I have recommended to your Consideration, you shall think fit to proceed to other Business, you may be assured of my ready Concurrence any Measure likely to promote the Ease, Interest, and Prosperity of the Inhabitants of this Province.

Mr. Speaker (with the Rest of the Members of the Lower House) returned, and re-assumed the Chair.

L. H. J.
Liber No. 51
Sept. 26

Mr. Matthew Tilghman, a Delegate Elected by the Freeholders of Queen-Anne's County to serve in the General Assembly of this Province, and Mr. William Thomas, a Delegate Elected by the Freeholders of St. Mary's County, appeared in the House:

Ordered, That Mr. Lloyd and Mr. Sothoron do go with those Gentlemen to the Upper House, to see them there Qualified. They return and acquaint Mr. Speaker, That they saw them Qualified in the usual Manner.

The Gentlemen took their Seats in the House.

On Motion, Ordered, That the Governor's Speech (a Copy of which he delivered to Mr. Speaker) Read by the Clerk; which being Read the first and second Time, Ordered, That an Address be prepared to his Excellency in Answer to his Speech; and that Colonel Tilghman, Mr. Charles Goldsborough, Mr. Murdock, Mr. Matthew Tilghman, and Mr. Carroll, do prepare and bring in an Address accordingly.

On Motion, Resolved, That the Hours of Sitting this Session, for Dispatch of Public Business, be from Nine of the Clock before Noon until Twelve, and from Two of the Clock Afternoon until Five.

On Motion, Ordered, That Mr. Speaker do issue his Warrant to the Deputy Secretary of this Province to make out Writs directed to the Sheriffs of Anne-Arundel, Kent, Cæcil, and Charles, Counties, to cause Delegates to be Elected for the said Counties, in the Room of Messieurs Philip Hammond, Alexander Williamson, Henry Ward, and Arthur Lee, late Delegates, Deceased.

Ordered, That Mr. Dulany do acquaint the Reverend Mr. Alexander Williamson, That he is requested by this House to Read Divine Service, during this Session, at a Quarter before Nine of the Clock in the Morning, and at Five of the Clock Afternoon.

The House appointed Mr. Carroll, Mr. Murdock, Mr. Lloyd, Mr. John Goldsborough, and Mr. Matthew Tilghman, a Committee of Elections and Privileges.

Mr. Murdock, Mr. Gassaway, Mr. Govane, Major Hynson, Col. Travers, Mr. Sulivane, Mr. John Goldsborough, and Col. Cresap, a Committee of Accounts. p. 283

Mr. Murdock, Mr. Carroll, Mr. Tilghman, Mr. Lloyd, Mr. Gassaway, Mr. Charles Goldsborough, and Mr. Matthew Tilghman, a Committee of Grievances and Courts of Justice.

Mr. Fraser, Col. Cresap, Capt. Chapline, Capt. King, and Mr. Stoddert, a Committee to enquire into the State and Condition of the Arms and Ammunition, and Accounts relating thereto.

Mr. Lloyd, Mr. Dulany, Mr. Earle, Mr. Worthington, Mr. Hanson, and Mr. Stoddert, a Committee to Inspect the Accounts and

L. H. J. Proceedings of the Commissioners or Trustees for Emitting Bills
 Liber No. 5¹
 Sept. 26 of Credit, established by Act of Assembly.

Col. Tilghman, Mr. Lloyd, Mr. Carroll, Mr. Murdock, Mr.
 Govane, and Capt. King, a Committee to Inspect the Public Offices.

The following Message;

By the Lower House of Assembly, 26th September, 1760.
 May it please your Honours,

This House hath appointed Mr. Lloyd, Mr. Dulany, Mr. Earle,
 Mr. Worthington, Mr. Hanson, and Mr. Stoddert, a Committee from
 this House to Inspect the Accounts and Proceedings of the Com-
 missioners or Trustees for Emitting Bills of Credit, established
 by Act of Assembly; and desire your Honours to appoint one or
 more of the Members of your House, to join in the said Committee.

Signed p Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House by Mr. Earle and Mr. Stoddert.

Mr. Lloyd, on his Application to the House, hath Leave of Absence
 until next Tuesday.

The House adjourns until 2 of the Clock Afternoon.

p. 284 Post-Meridiem. The House met according to Adjournment.

Mr. Murdock, from the Committee appointed, brings in and
 delivers to Mr. Speaker, the following Address, viz.^t

To his Excellency Horatio Sharpe, Esq; Governor and Commander
 in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

We, his Majesty's most dutiful and loyal Subjects, the Delegates
 of the Freemen of Maryland, in Assembly convened, return your
 Excellency our Thanks for your Speech at the Opening of this
 Session.

As the matter you have been pleased to communicate to us, is
 of an interesting and important Nature, we shall give it the most
 attentive Consideration; but we hope to stand excused, if, previous
 to making Provision for the Service recommended by your Excel-
 lency, which we presume cannot be compleated in a very short Time,
 we use our Endeavours to ease the Land-Holders of this Province
 from a heavy and unequal Tax, which must be paid by them in a
 few Days (and that in a Species of Money very difficult to be had)
 if not prevented by the seasonable Interposition of the Legislature;
 and from your Excellency's kind Assurance of "your ready Con-
 currence in any Measure likely to promote the Ease, Interest, and
 Prosperity of the Inhabitants of this Province," we cannot but be
 persuaded that these our Endeavours, will as speedily as possible be
 rendered effectual.

After we have done our Parts towards preventing this heavy impending Burthen from falling on our Constituents, we shall immediately embrace the Opportunity that is now given us, of contributing towards the Preservation of his Majesty's Rights, with that Clearfulness with which we have always endeavoured to promote his Service: And we hope the Issue of our Deliberations will demonstrate our unfeigned Duty to our most Gracious Sovereign, our Zeal for the just Rights of our Constituents, and our Regard for the Welfare of our Fellow-Subjects.

L.H.J.
Liber No. 51
Sept. 26

Which was Read, Approved, and Ordered to be Ingrossed.

On Motion, Leave is given to bring in a Bill, for the Ease of the Land-Holders in this Province, from the great Burthen of the additional Land-Tax:

On Motion, Leave is given to bring in a Bill, for the Ease of the Land-Holders in this Province, from the great Burthen of the additional Land-Tax:

Ordered, That Mr. Tilghman, Mr. Charles Goldsborough, Mr. Murdock, Mr. Matthew Tilghman, and Mr. Carroll, do prepare and bring in a Bill accordingly.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker, the following Message, viz.^t

By the Upper House of Assembly, 26th September, 1760.
Gentlemen,

This House hath named Samuel Chamberlaine, Esq; to join the Members appointed by your House, in a Committee to Inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office.

Signed p Order, J. Ross, Cl. Up. Ho.

The House adjourns till the Morrow Morning at 9 of the Clock.

Saturday, 27th September, 1760.

Sept. 27

The House met according to Adjournment. The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Col. Hopper appeared in the House.

Mr. Murdock brings in and delivers to Mr. Speaker, the Address to his Excellency Ingrossed; which was Read and Assented to, and Signed, by Order of the House, by the Honourable Speaker.

Ordered, That Mr. Lloyd and Mr. Gantt do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it. They return and acquaint Mr. Speaker, That the Governor signified he would receive the Address in a Quarter of an Hour in the Council Chamber.

p. 286

Ordered, That Mr. Murdock, with Five more, do present the Address to the Governor.

L. H. J.
Liber No. 51
Sept. 27

Mr. Govane and Mr. Matthew Tilghman, on their Application to the House, have Leave of Absence until Monday next.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

The House adjourns till Monday Morning at 9 of the Clock.

Sept. 29

Monday, 29th September, 1760.

The House met according to Adjournment. The Members were called, and all appeared as on Saturday, except Major Hynson, Mr. Lloyd, and Mr. Matthew Tilghman. The Proceedings were Read.

Mr. Wilson, Mr. Waters, and Mr. Gibson, appeared in the House.

His Excellency the Governor communicated to Mr. Speaker, the following Message, viz.^t

Gentlemen of the Lower House of Assembly,

Be pleased to accept my Acknowledgments for the Hopes your Address gives me, that you will chearfully embrace this Opportunity of promoting the Service of our most Gracious Sovereign, by contributing to the Preservation of his Majesty's Rights on Lake Erie, and the Ohio, and to the future Security of these his Dominions. Such a Proceeding will shew that your Professions of Duty and Loyalty are unfeigned, and as his Majesty's Ministers and Generals will be thereby inclined to entertain a favourable Opinion of your Constituents, I flatter myself, that, your Compliance with General Monckton's Requisition will meet with their Approbation.

Hor.^o Sharpe.

Which Message was Read.

His Excellency the Governor communicated to Mr. Speaker, the following Message, viz.^t

p. 287 Gentlemen of the Lower House of Assembly,

Having since you adjourned last Saturday, had the Satisfaction to receive a Letter from General Amherst, dated at Montreal the 9th Instant, wherein his Excellency hath been pleased to give me an Account of the Motions of the King's Forces under his Command since the 26th of August, and to inform me, that, in Consequence thereof, the whole Country of Canada was yielded to the Dominion of his Majesty, our most Gracious Sovereign, on the 8th of this Month, it is with the highest Satisfaction I now communicate to you this Intelligence; and being assured that your Joy thereat will not be exceeded by the Joy of any of his Majesty's dutiful and loyal Subjects on this Occasion, I most sincerely congratulate you on so interesting and happy an Event.

The 29th of September, 1760.

Hor.^o Sharpe.

Which was Read, and Ordered to lie on the Table.

L. H. J.
Liber No. 51
Sept. 29

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

Col. Tilghman brings in and delivers to Mr. Speaker, a Bill, entituled, An Act for Easing the Inhabitants of this Province, from the great and unequal Burthen of the additional Land-Tax; which was Read the first and second Time by an especial Order, and will Pass; and was sent to the Upper House by Col. Tilghman and Mr. Charles Goldsborough.

The House adjourns till the Morrow Morning at 9 of the Clock.

Tuesday, 30th September, 1760.

Sept. 30
p. 288

The House met according to Adjournment. All the Members appeared as Yesterday. The Proceedings were Read.

On Reading the second Time his Excellency's Message of Yesterday, relative to the Success of his Majesty's Arms in Canada;

Ordered, That Mr. Carroll and Mr. Murdock, Mr. Dulany and Mr. Wilson, do prepare and bring in a Congratulatory Address to his Excellency the Governor, in Answer thereto.

Col. Lloyd, from the Upper House, delivers to Mr. Speaker, the Memorial and Petition of Hugh Carrigan and Thomas Roles; Indorsed, By the Upper House of Assembly, 30th September, 1760. Read and Referred to the Consideration of the Lower House of Assembly.

Which said Memorial was here Read, and Ordered to lie on the Table.

Mr. Carroll brings in and delivers to Mr. Speaker, an Address to his Excellency the Governor; which was Read, Approved, and Ordered to be Ingrossed.

Mr. Carroll brings in and delivers to Mr. Speaker, the following Address Ingrossed, viz.^t

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.
May it please your Excellency,

We return your Excellency our Thanks for the Intelligence you have been pleased to communicate to us, of the intire Reduction of Canada by the Forces under the Command of General Amherst.

As this interesting and happy Event reflects the highest Lustre on his Majesty's Arms, and the Councils that have directed them, we

L. H. J. most sincerely congratulate you upon it; and assure your Excellency,
 Liber No. 5^t
 Sept. 30 "That our Joy on this Occasion, will not be exceeded by the Joy
 of any of his Majesty's dutiful and loyal Subjects."

Which was Read and Assented to, and Signed, by Order of the House, by the Honourable Speaker.

p. 289 Ordered, That Mr. Sulivane and Mr. Govane do acquaint the Governor, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will receive it. They return and acquaint Mr. Speaker, That the Governor signified he would receive the Address immediately in the Conference Chamber.

Ordered, That Mr. John Goldsborough, with Fourteen more, do present the Address to the Governor.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment, &c.

On Motion, Resolved, That this House will proceed on the Morrow Morning (after the Call of the House) to take into Consideration the Subject-matter contained in his Excellency the Governor's Speech, made at the Opening of this Session.

On Motion, the Question was put, That a Day be fixed for taking into Consideration the Petition of the Inhabitants of Baltimore County, relating to the Removal of the Court-House from the Town of Joppa in the said County. Resolved in the Affirmative.

On Motion, Resolved, That this House will take into Consideration, on Wednesday the 8th Day of October next, the Petition of the Inhabitants of Baltimore County, relating to the Removal of the Court-House of the said County, which was referred at the last Session to the Consideration of this Session of Assembly.

On Motion, Leave given to bring in a Bill to Enlarge the Salaries of the Inspectors of the several Warehouses in Somerset County:

p. 290 Ordered, That Mr. Wilson, Mr. Waters, and Mr. Carroll, do prepare and bring in a Bill accordingly.

The House adjourns till the Morrow Morning at 9 of the Clock.

Oct. 1

Wednesday, 1st October, 1760.

The House met according to Adjournment, &c.

Mr. Matthew Tilghman appeared in the House.

The Order of the Day being Read; on Motion, the Question was put, That the Consideration of the subject-matter contained in his Excellency the Governor's Speech, be postponed till the Morrow. Resolved in the Negative.

For the Negative,

L. H. J.
Liber No. 51
Oct. 1

Sothoron,	Waters,	Murdock,
Greenfield,	Edmondson,	Fraser,
Thomas,	Bowman,	King,
Gresham,	Gibson,	E. Tilghman,
Gassaway,	Govane,	Hopper,
Carroll,	Owings,	M. Tilghman,
Gantt,	Earle,	Selby,
Stoddert,	Baker,	Chapline,
Wilson,	Mauldin,	Cresap.

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For the Affirmative,

J. Goldsborough,	C. Goldsborough,	Dulany,
Sulivane,	Travers,	Steuart.

[6]

In Pursuance of the Order of the Day, Ordered, That his Excellency the Governor's Speech be Read; which was Read accordingly.

The House proceeded to take into Consideration his Excellency the Governor's Speech; and, Resolved, That an Address be prepared and sent to the Governor, requesting that General Monckton's Letter, mentioned in his Excellency's Speech, may be laid before this House.

Ordered, That Mr. Murdock, Mr. Carroll, Mr. Matthew Tilghman, and Mr. Gresham, do prepare and bring in an Address accordingly.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, the Petition of sundry the Inhabitants of Queen-Anne's County, in and near Queen's-Town: The Petition of David Polk and Thomas Moore, Inspectors of Green-Hill and Barron-Creek Warehouses, in Somerset County: And, The Petition of John Maddox and Panther Laws, Inspectors at Manokin Warehouse, in p. 291 Somerset County; severally Indorsed, By the Upper House of Assembly, 30th September, 1760. Read and Referred to the Consideration of the Lower House of Assembly.

Which Petitions were here Read, and Ordered to lie on the Table.

Mr. Gresham brings in and delivers to Mr. Speaker, an Address to the Governor; which was Read, Approved, and Ordered to be Ingrossed.

Mr. Gresham brings in and delivers to Mr. Speaker, the following Address Ingrossed, viz.

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

As we have now under Consideration, the Service recommended

L. H. J. to us by your Excellency at the Opening of the Session, we request
 Liber No. 51 you will be pleased to lay before us (as has been usual on like Oc-
 Oct. 1 casions) the Letter you have received from General Monckton, con-
 taining the Requisition of Two Hundred Men from this Province,
 that we may be enabled to proceed with the greater Dispatch.

Which was Read and Assented to, and Signed, by Order of the
 House, by the Honourable Speaker.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

Mr. Worthington appeared in the House.

Ordered, That Mr. Matthew Tilghman and Mr. Thomas do
 p. 292 acquaint the Governor, That this House hath prepared an Address,
 to be presented to him, and desires to know when and where he
 will receive it. They return and acquaint Mr. Speaker, That his
 Excellency signified he would be ready to receive the Address in a
 Quarter of an Hour in the Conference Chamber.

Ordered, That Mr. Gassaway, with Three more, do present the
 Address to the Governor.

Stephen Bordley, Esq; from the Upper House, delivers to Mr.
 Speaker, the Bill, entituled, An Act for Easing the Inhabitants of
 this Province, from the great and unequal Burthen of the additional
 Land-Tax; Indorsed, By the Upper House of Assembly, 30th Sep-
 tember, 1760. Read the first Time, and Ordered to lie on the Table.

And thus, By the Upper House of Assembly, 1st October, 1760.
 Read the second Time, and will Pass with the following Amend-
 ments: In Page 3d, Line 18th, put or instead of and. Leave out
 the Pages 4 and 5. In the 3d and 4th Line of 6th Page, leave out
 the Honourable Samuel Chamberlaine, Philip Thomas, Benjamin
 Tasker, junior, Richard Lee, and Benedict Calvert, Esquires, and a
 blank Space to be left, to be fill'd up with Names by this House. In
 9th Line of the same Page, leave out the Word Three, and insert
 One. In the 13th Line of the same Page, instead of Eight put Five;
 and in the next Line, instead of Eight, put the next ensuing. In
 16th Line of the same Page, instead of Two, put Five then. In the
 20th Line of the same Page, instead of Eight put Six. In the 7th
 Line of the 7th Page, instead of Three put One. In the 16th line of
 the 8th Page, instead of Three put One; and leave out the Proviso
 in the same Page. In the 9th Page, Line 6th, instead of Four put
 Two.

Signed p Order, J. Ross, Cl. Up. Ho.

The House adjourns till the Morrow Morning at 9 of the Clock.

Thursday, 2^d October, 1760.

The House met according to Adjournment. The Members were called, and all appeared as Yesterday, except Mr. Sothonon. The Proceedings were Read.

L. H. J.
Liber No. 51
Oct. 2

On Reading the second Time, the Amendments proposed by the Upper House to the Bill, entitled, An Act for easing the Inhabitants of this Province, from the great and unequal Burthen of the additional Land-Tax, Ordered, That a Message be prepared, p. 293 and sent to the Upper House, with the said Bill; and that Mr. Matthew Tilghman, Mr. Murdock, Mr. Charles Goldsborough, Mr. Carroll, and Dr. Steuart, do prepare and bring in the same.

On Motion, the Question was put, That in the aforesaid Message it be proposed, the Commissioners of the Upper House may be nominated by the Upper House, in equal Number with those Commissioners nominated by the Lower House in the said Bill. Resolved in the Affirmative.

For the Affirmative,

Greenfield,	Bowman,	Dulany,
Thomas,	Gibson,	Steuart,
Wilson,	Sulivane,	Hopper,
Waters,	C. Goldsborough,	Chapline,
J. Goldsborough,	Travers,	Selby.
Edmondson,	Mauldin,	

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For the Negative,

Gresham,	Stoddert,	Murdock,
Gassaway,	Govane,	Fraser,
Carroll,	Owings,	King,
Worthington,	Earle,	M. Tilghman,
Gantt,	Baker,	Cresap.

[15]

The Question was put, That it be proposed in the said Message, that the Continuance of the said Bill be for two Years.

For the Affirmative,

Gresham,	Sulivane,	Steuart,
Wilson,	Gibson,	Hopper,
Waters,	C. Goldsborough,	Selby,
J. Goldsborough,	Travers,	Chapline.
Edmondson,	Govane,	
Bowman,	Dulany,	

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For the Negative,

Greenfield,	Stoddert,	Fraser,
Thomas,	Owings,	King,

L. H. J. Liber No. 51 Oct. 2	Gassaway, Carroll, Worthington, Gantt,	Earle, Baker, Mauldin, Murdock,	M. Tilghman, Cresap.
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The House being Divided on the foregoing Question, the same
 p. 294 was determined in the Affirmative by the Vote of the Honourable Speaker.

His Excellency the Governor communicated to Mr. Speaker, the following Message, viz.

Gentlemen of the Lower House of Assembly,

In Compliance with your Request, I send you General Monckton's Letter, which, when you have read it, you will be pleased to return.

The 2d October, 1760.

Hor.^o Sharpe.

And General Monckton's Letter Containing the following Words
 (viz^t)

Fort Pitt Augst 21st 1760

Sir,

As it cannot be Expected that General Amherst will able to spare any of the regular Troops now with him for the Winter Garrisons of the posts in this department which are now Considerably Increased and the number of regular Troops here greatly Lessen'd.

I think it my Duty Sir to give you the Earliest Notice That it will be absolutely necessary for the support of his Majesty's Rights on Lake Erie and the River Ohio, That the province under your Command should furnish at least Two hundred men with Officers & non Commissioned Officers in proportion

This Sir is so Essential a Service that I cannot in the Least Doubt but you will use your utmost Endeavours with the Council and Assembly of your province to Induce them to Comply with this so necessary a Requisition

I have the Honour to be

Sir Your most obedient & hum ser^t

Gov^r Sharpe

Rob.^t Monckton

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

p. 295 Mr. Tilden appeared in the House.

His Excellency the Governor communicated to Mr. Speaker, the following Message, viz.

Gentlemen of the Lower House of Assembly,

The Right Honourable Lord Colvill, Commander in Chief of his Majesty's Ships in the River St. Lawrence, having desired, as

you will perceive by the inclosed Letters, that a Number of French Prisoners (most of them Soldiers) whom he has been under a Necessity of sending to this Province, may, on their Arrival, be taken Care of, I must recommend it to you to make proper Provision for the Support of the French Prisoners that are already arrived, and of such others as may be expected.

L. H. J.
Liber No. 51
Oct. 2

The 2d Day of October, 1760.

Hor.^o Sharpe.

And the following Letters from Lord Colville (viz.^t)

[*These three letters are printed in full in the Upper House Journal,
pp. 341-342*]

The House Adjourns till the Morrow Morning at 9 of the Clock p. 296

Friday, 3^d October, 1760.

Oct. 3

The House met according to Adjournment. The Members were called, and all appeared as Yesterday. The Proceedings were Read.

The House adjourns till 2 of the Clock Afternoon.

p. 297

Post-Meridiem. The House met according to Adjournment.

Mr. Thomas and Mr. Bowman, on their Application to the House, have Leave of Absence.

Mr. Fraser and Mr. King, on their Application to the House, have Leave of Absence till Monday next.

Mr. Murdock brings in and delivers to Mr. Speaker, the Message Ordered to be prepared.

On Reading the said Message the second Time, the Question was put, Whether the following Question shall be put, viz. That the following Words be inserted in the said Message after the Words, This was the Method taken at the Framing the original Bill, viz. Which we were then induced to come into by the said distressed Condition of our Frontier Inhabitants.

For the Affirmative,

Gassaway,	Govane,	Fraser,
Carroll,	Owings,	King,
Worthington,	Earle,	E. Tilghman,
Gantt,	Baker,	M. Tilghman,
Stoddert,	Mauldin,	Chapline.
Hanson,	Murdock,	

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For the Negative,

Greenfield,	J. Goldsborough,	Travers,
Thomas,	Edmondson,	Dulany,
Gresham,	Bowman,	Steuart,

L. H. J. Liber No. 51 Oct. 3	Tilden, Wilson, Waters,	Gibson, Sulivane, C. Goldsborough,	Hopper, Selby.
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The House being Divided on the foregoing Question, the same was determined in the Negative by the Vote of the Honourable Speaker.

p. 298 On Reading the said Message throughout, the same was Approved, and Ordered to be Ingrossed.

On Motion, Resolved, That this House will proceed, on the Morrow Morning, to take into a further Consideration the Subject-matter contained in his Excellency the Governor's Speech.

On Motion, Resolved, That this House will take into Consideration his Excellency's Message sent with Lord Covill's Letter, on Monday next Afternoon.

Ordered, That Mr. John Goldsborough and Mr. Wilson be a Committee to enquire what Laws will expire at the Close of this Session, and that they make Report thereof to the House.

The House adjourns till the Morrow Morning at 9 of the Clock.

Oct. 4

Saturday, 4th October, 1760.

The House met according to Adjournment. The Members were called, and all appeared as Yesterday, except Mr. Greenfield, Mr. Thomas, and Mr. Bowman. The Proceedings were Read.

The Order of the Day being Read; the House took into Consideration the Subject-matter contained in his Excellency the Governour's Speech, made at the Opening this Session, with General Monckton's Letter referred to therein. And,

On Motion, Resolved, That this House will forthwith make a Provision for Raising, Cloathing and Paying, 200 Men, Commissioned and Non-Commissioned Officers included, for his Majesty's Service, agreeable to the Requisition of General Monckton, and that they be continued in Pay for Six Months.

Resolved, That the Sum of Six Pounds Bounty-Money, be paid p. 299 to each able-bodied Man that shall be enlisted by any Officer, and shall pass Muster, and shall serve under any Commanding Officer duly authorized; and that Twenty Shillings be paid to the Officer who shall enlist such able-bodied Man.

Resolved, That this House will, out of the first Supplies that shall be granted for his Majesty's Service, appropriate a Sum sufficient to repay the Money advanced in the Year 1758 by General Forbes, for the Pay, Victualling and Cloathing the Troops, formerly in the Pay of this Province, from the Time the Money granted for the Pay,

Subsistance and Cloathing of the said Men, was expended, till the said Troops were taken into his Majesty's Service in the Year 1758 by General Forbes, so far as the same shall appear to be just and reasonable.

L. H. J.
Liber No. 51
Oct. 4

And it is further Resolved, That if it shall appear that General Forbes has not paid all the Money that accrued due for the Pay, Victualling and Cloathing of the said Men, from the Time the Money granted for that Purpose was expended, till the Time they were taken into his Majesty's Service, that then this House will make a Provision for what further Sum may be due for the Pay, Victualling and Cloathing of the said Men.

Resolved, That this House will, out of the first Supplies that shall be granted for his Majesty's Service, appropriate a Sum sufficient to pay the Money advanced in 1758 by General Forbes, for the Pay and Cloathing of the Troops formerly in the Pay of this Province, and by him taken into his Majesty's Service, from the Time those Troops entered into the said Service, to the End of the Campaign in 1758, so far as the same shall appear to this House to be just and reasonable.

Resolved, That this House will make Provision for such of the Inhabitants of this Province who have, in Consequence of the Governor's Request, marched from any of the Counties of this Province, for the Defence of the Frontiers of this Province, since the March of General Braddock from Frederick-Town in Frederick County, or have Garrisoned the Forts of this Province since the Forces that have been raised by this Province, were taken by General Forbes from the said Forts into his Majesty's Service. And also that this House will make Provision for paying such Persons as have supplied Provisions and other Necessaries for the Use of the said Men, who have marched as aforesaid, or Garrisoned the said Forts, and for the Expence of the Carriage of such Provisions and other Necessaries.

p. 300

Resolved, That such Provision be, by the Appropriation of a Sum sufficient for the said Purposes, out of the first Supplies which shall be granted for his Majesty's Service.

Resolved also, That out of the said Supplies, the following Sums shall be appropriated, viz.

A Sum sufficient to reimburse such Persons as have been necessarily put to expence on Account of Quartering his Majesty's Troops in Cæcil, Kent and Anne-Arundel Counties.

A Sum not exceeding Two Hundred and Fifty Pounds, for clearing a Road from Fort Frederick to Fort Cumberland, thro' this Province, for his Majesty's Service.

On Motion, the Question was put, That a Sum of Money necessary for defraying the Expence of the foregoing Purposes, be raised

L. H. J. by an equal Assessment on all Estates, Real and Personal, and
 Liber No. 5¹ Lucrative Offices and Employments. Resolved in the Affirmative.
 Oct. 4

p. 301

For the Affirmative,

Gassaway,	Govane,	King,
Carroll,	Owings,	E. Tilghman,
Worthington,	Earle,	M. Tilghman,
Gantt,	Baker,	Chapline,
Hanson,	Mauldin,	Cresap.
Stoddert,	Murdock,	
Sulivane,	Fraser,	

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For the Negative,

Gresham,	Edmondson,	Steuart,
Tilden,	Gibson,	Hopper,
Wilson,	C. Goldsborough,	Selby.
Waters,	Travers,	
J. Goldsborough,	Dulany,	

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On Motion, Ordered, That Col. Tilghman, Mr. Matthew Tilghman, Mr. Carroll, Mr. Murdock, and Mr. Hanson, do prepare and bring in a Bill, For Raising a Sum of Money necessary for defraying the Expence of Raising Men for his Majesty's Service, and other Purposes;

Ordered, That Mr. Earle, Mr. Gassaway, and Mr. Hanson, be a Committee to make an Estimate of the particular Sums necessary to be raised for answering the Purposes of the Resolves of this House, this Day made, relative to his Majesty's Service, and other Purposes.

The following Message, viz.

By the Lower House of Assembly, 4th October, 1760.

May it please your Honours,

We have considered the Amendments proposed by your Honours to the Bill, for Easing the Inhabitants of this Province, from the great and unequal Burthen of the additional Land-Tax, sent down by the Honourable Stephen Bordley, Esq;

To the first we agree; to the second, and to the last Amendment p. 302 but one, by which you leave out the Clauses relating to the Payment of Silver and Gold, we cannot agree, because the giving the Alternative to the People concerned in the Payment of the several Taxes and Duties under this Bill, must be an Ease and Advantage to many, as by that Means they will not be in the Power of the Collectors, or others, who might be inclined to take Advantage of their Necessities, and as we know of no ill Consequence that could follow, from giving such a Liberty, we think they ought to have it.

By your next Amendment, you propose that the Names of the several Commissioners mentioned in the Bill, who were originally appointed by yourselves, should be struck out, and a Blank left to be filled up by your House. We could not have imagined that this Part of the Bill, naming the same Gentlemen of your House, who were appointed by yourselves at the Time of making the original Act, of which the present Bill is to be a Continuance, and to whom, we presume, no just Objection can be made, could have been exceptionable; nor can we conceive what could induce your Honours to propose such an Amendment. Could your Honours imagine we should agree to leave a Blank, which would put it in your Power to insert any Number you please? We can scarcely believe you could suppose it, or indeed that you could desire so unreasonable a Thing. However, that every Obstruction to the Passage of this Bill, may be removed, we propose that your Honours by Message, Name Five Persons of your House, to be inserted in the Bill: This was the Method taken at the Framing the original Bill, and what we are willing to agree to upon this present Occasion, altho' we should, in some Degree, depart from our Rights, which we must insist shall not, in this Instance, be drawn into Precedent.

The other Amendments, except the last, relate to the Continuance of the Bill, and here we must beg your Honours to consider, that if this Bill was to pass for One Year only, agreeable to your Amendments, the Sum of Money that would still remain, after the Collection of the Sixth Year, would be very large, so large as would make it necessary to lay a very heavy Tax on Lands to discharge it: This is the great Evil intended by the Bill to be Remedied; and as you have consented to a Continuance of the Bill for One Year, we presume from the Motive of Easing the People, the very same Motive, we hope, will induce your Honours to give it a longer Continuance: Be pleased to consider the Time of Sinking our Paper Currency is now approaching; this of Course increases it's Value, and induces those who have Opportunity, to lay it up, by which Means it's already in a few Hands; how difficult then must it be even at this Time for the People in general to get this Money, and how much more so must it be Two Years hence? 'Tis true an Advantage might arise to a few individuals by an extraordinary Demand for Paper Money; but this surely ought rather to be a Reason for a longer Continuance; for, however the Avarice of a few might prompt them to desire such an Advantage, it can't be imagined that the Legislature would prefer the private Interest of those few, to the Ease and Benefit of the Community in general.

From these Reasons we cannot but hope, your Honours will agree to a longer Duration of this Bill than One Year: But if you should still be of Opinion it is unnecessary to continue it for Three Years, and should think Two will be sufficient, we shall agree to it, rather

L. H. J.
Liber No. 51
Oct. 4

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L. H. J. than lose so necessary a Bill. In Hopes then, that your Honours
 Liber No. 51 will view this Matter in the same Light that we do, we have returned
 Oct. 4 you the Bill, and if you should be inclined to pass it with the Alterations
 p. 304 herein proposed to be made, be pleased to send it down, that the Alterations may be made accordingly.

Signed p Order, M. Macnemara, Cl. Lo. Ho.

Was sent to the Upper House, with the Bill, entituled, An Act for Easing the Inhabitants of this Province, from the great and unequal Burthen of the additional Land-Tax, by Mr. Charles Goldsborough and Dr. Steuart.

Mr. Wilson brings in and delivers to Mr. Speaker, a Bill, entituled, An Act to augment the Salaries of several Inspectors; which was Read the first Time, and Ordered to lie on the Table.

On Reading the second Time his Excellency the Governor's Message, with Lord Colvill's Letter, Resolved That this House will take the same into Consideration on Monday Afternoon next.

The Petition of Mary Stansbury, Executrix of Tobias Stansbury, late of Baltimore County, deceased, which was at the last Session referred for Consideration this Session of Assembly, was now Read; and thereupon Ordered, That Mr. Govane, Mr. Dulany, Mr. Charles Goldsborough, and Mr. Wilson, be a Committee to enquire into the Allegations and Facts contained in the said Petition, and to make Report thereof to the House.

On Motion, Ordered, That the Committee of Accounts do not receive any Claims against the Public this Session, after next Saturday.

Mr. Owings, on his Application to the House, hath Leave of Absence until next Monday.

p. 305 The House adjourns till 2 of the Clock Afternoon.
 Post-Meridiem. The House met according to Adjournment, &c.

Mr. Earle brings in and delivers to Mr. Speaker, the following Estimate, viz.

By the Committee appointed to make an Estimate of the particular Sums necessary to be raised for answering the Purposes of the Resolves of the Honourable House this Day, relative to his Majesty's Service.

The following is humbly submitted for Consideration.

Bounty-Money for 192 Men at £6.....	£1152	o	o
To the Officers for Recruiting 192 Men at 20 s.....	192	o	o
Cloathing for 192 Men, consisting of a Coat, a Flannel Waistcoat, a Pair of Breeches, 2 Pair of Stockings, 2 Shirts, a Hat, and 1 Pair of Shoes each, at £4 o o p Man,.....	768	o	o

Pay of 2 Captains 30 Days at 10 s. p Day	£30 0 0	L. H. J. Liber No. 51 Oct. 4
Ditto of 4 Lieutenants 30 Days at 6/8	40 0 0	
Ditto of 2 Ensigns 30 Days at 5 s...	15 0 0	
Ditto of 8 Serjeants 30 Days at 1/6.	18 0 0	
Ditto of 8 Corporals 30 Days at 1/2.	14 0 0	
Ditto of 2 Drummers 30 Days at 1/2	3 10 0	
Ditto of 174 private Men 30 Days at 9 d.....	195 15 0	
5 Months Pay added.....	1581 5 0	1897 10 0
192 Blankets at 15 s.....		144 0 0
For reimbursing the Money advanced by General Forbes to Mr. Ross, for Victualling the Sol- diers that had been enlisted in the Service of this Province, and the Money he advanced the said Men, the Payment of the Arrears due to them, and other Charges that have accrued on their Accounts,.....		14000 0 0
For Quartering 500 Soldiers in the City of An- napolis, during the Winter 1757,.....	1500 0 0	p. 306
For Quartering Soldiers in Kent and Cæcil Coun- ties, in the Years 1756 and 1757, according to the gross Amount of the Accounts de- livered in, about.....	1400 0 0	
For defraying the Expences of the several Com- panies of Volunteers sent to the Frontiers at different Times,.....	6000 0 0	
For clearing a Road from Fort Frederick to Fort Cumberland, thro' this Province, for his Maj- esty's Service,	250 0 0	
	£27,303 10 0	
Subsistance for the above Men one Month, if thought necessary,	220 0 0	
	£27,523 10 0	
John Gassaway, John Hanson, junior, Michael Earle.		

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Oct. 4

Which was Read, and Ordered to lie on the Table.

On Reading the second Time the Estimate brought in by the Committee appointed for that Purpose, Resolved, That the Sum of £32,000 be Raised for his Majesty's Service, and other Purposes.

Mr. Matthew Tilghman brings in and delivers to Mr. Speaker, the following Report, viz.

[This report, estimating the additional land-tax to be levied under the Service Act of 1756, is printed in full in the Upper House Journal, pp. 336-338]

p. 310 The House adjourns till Monday Morning at 9 of the Clock.

Oct. 6

Monday, 6th October, 1760.

The House met according to Adjournment. The Members were called, and all appeared as on Saturday, except Col. Tilghman, Mr. Earle, Mr. King, Mr. Fraser, and Mr. John Goldsborough. The Proceedings were Read.

Mr. Crabb and Mr. Wagggaman appeared in the House.

Mr. Wilson brings in and delivers to Mr. Speaker, the following Report, viz.^t

4th October, 1760.

By the Committee appointed by the Honourable the Lower House of Assembly, to enquire what Laws will expire at the End of this Session.

Your Committee do Report, That the following Laws will expire at the Close of this Session, viz.^t

p. 311 An Act continuing an Act, entituled, An Act to remedy some Evils relating to Servants.

An Act continuing an Act, entituled, A Supplementary Act to the Act, entituled, An Act ascertaining the Height of Fences, to prevent the Evil occasioned by the Multitude of Horses, and restraining Horse-Rangers, within this Province; and to redress the great Evil accruing to this Province, by the Multiplicity of useless Horses, Mares, and Colts, that run in the Woods.

An Act continuing an Act, entituled, An Act for the Gauge of Barrels for Pork, Beef, Pitch, Tar, Turpentine, and Tare of Barrels for Flour or Bread.

An Act continuing an Act, entituled, An Act for the speedy Recovery of small Debts out of Court, before one Justice of the Peace.

An Act continuing an Act, entituled, An Act for Relieving the Inhabitants of this Province, from some Aggrievances in the Prosecution of Suits at Law; and for continuing the Supplementary Act thereto.

All of which is submitted to the Consideration of the Honourable House.

Signed p Order, B. Nicholson, Cl.

Which was Read the first Time, and Ordered to lie on the Table.

L. H. J.
Liber No. 51
Oct. 6

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

On Motion, Ordered, That Mr. Waggaman be added to the Committee of Accounts.

The Order of the Day being Read; on Motion, Resolved, That the Consideration of his Excellency's Message, with Lord Colvill's Letter, be referred for Consideration on the Morrow Morning.

The House adjourns till the Morrow Morning at 9 a clock

Tuesday, 7th October, 1760.

Oct. 7

The House met according to Adjournment.

On Motion, Ordered, That Mr. Speaker, do issue his Warrant to the Deputy Secretary, to make out a Writ directed to the Sheriff of Frederick County, to cause to be Elected a Delegate of the said County, to serve in the General Assembly of this Province, now Sitting, in the Room of Mr. Edward Dorsey, a late Delegate of the said County, deceased.

The Order of the Day being Read; the House took into Consideration his Excellency's Message, communicated to this House on the second Instant, with Lord Colvill's Letters; and Resolved, That this House will make a Provision for Transporting to England, the French Prisoners intimated by his Excellency's Message to be now in this Province, and contained in Lord Colvill's Letters.

Resolved, That this House will appropriate the Sum of £150 Current Money, for defraying the Charges of Transporting of the said French Prisoners hence to England.

On Motion, the Question was put, That the Sum of £150, for defraying the Charges of the Purpose aforesaid, be taken out of the Money repaid into the Loan-Office by Virtue of the £6000 Act, granted for his Majesty's Service. Resolved in the Affirmative.

For the Affirmative,

Gresham,	Edmondson,	Govane,
Tilden,	Gibson,	Dulany,
Waggaman,	Sulivane,	Steuart,
Wilson,	C. Goldsborough,	Hopper,
Waters,	Travers,	Selby.

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For the Negative,

Gassaway,	Stoddert,	M. Tilghman,
Carroll,	Owings,	Crabb,
Worthington,	Baker,	Chapline,
Gantt,	Mauldin,	Cresap.
Hanson,	Murdock,	

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On Motion, the Question was put, That the Sum of £150, for defraying the Charges of the Purpose aforesaid, be taken out of the Loan-Office by way of Ordinance. Resolved in the Negative.

On Motion, Leave given to bring in a Bill, to take out of the Loan-Office of the Commissioners or Trustees for Emitting Bills of Credit, the Sum of £150, to be appropriated for defraying the Charges of Transporting to England, the French Prisoners now in this Province, sent in by Order of Lord Covill; and Ordered, That Mr. Charles Goldsborough, Mr. Dulany, Dr. Stuart, and Mr. Wilson, do prepare and bring in a Bill accordingly.

On Motion, Ordered, That Mr. Charles Goldsborough, Mr. Dulany, Dr. Steuart, and Mr. Wilson, do prepare and bring in an Address to his Excellency, acquainting him therein with the Resolution of this House relative (to his Message, and) to the Requisition contained in Lord Colvill's Letters.

The House adjourns till 2 a Clock afternoon.

Post-Meridiem. The House met according to Adjournment.

Mr. Fraser and Mr. John Hammond Dorsey appeared in the House.

Mr. Charles Goldsborough brings in and delivers to Mr. Speaker, an Address to the Governor; which was Read, Approved, and Ordered to be Ingrossed.

p. 314 Mr. Charles Goldsborough brings in and delivers to Mr. Speaker, the following Address Ingrossed, viz:^t

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland.

The humble Address of the House of Delegates.

May it please your Excellency,

On Consideration of your Excellency's Message, in Relation to the French Prisoners sent hither by Lord Colvill, this House are of Opinion, that it will be most expedient to Transport them to England, and have Resolved to make Provision for defraying the Expence thereof.

Which was Read and Assented to, and Signed, by Order of the House, by the Honourable Speaker.

Ordered, That Dr. Steuart and Col. Hopper do acquaint the Governor, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will receive it. They return and acquaint Mr. Speaker, That the Governor signified he would receive the Address in a Quarter of an Hour in the Council Chamber.

Ordered, That Col. Travers and Mr. Gresham do present the Address to the Governor.

The House adjourns till the Morrow Morning at 9 a Clock.

Wednesday, 8th October, 1760.L. H. J.
Liber No. 51
Oct. 8

The House met according to Adjournment. The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Mr. Greenfield appeared in the House.

Mr. Wilson and Mr. Edmondson, on their Application to the House, have Leave of Absence.

The Report of the Commissioners appointed by the Act for granting a Supply of £40,000, &c. to compute and ascertain the Rate of an additional Tax on Lands, in Case of a Deficiency of the Funds raised by Virtue of the said Act, &c. was Read the second Time; and it appearing to this House, by the Report from the Commissioners appointed to settle the Rate of the additional Land-Tax, by the Act, entituled, An Act for granting a Supply of £40000 for his Majesty's Service, and striking Thirty-four Thousand and Fifteen Pounds Six Shillings thereof in Bills of Credit, and raising a Fund for sinking the same. That the Number of Commissioners directed by the aforesaid Act, to rate and ascertain the additional Land Tax, mentioned in the said Act, did not meet pursuant to the said Act, and it also appearing, that the Certificates made out by such of the Commissioners as did meet, instead of being directed To the Collectors of the Land-Tax, are directed To the Sheriffs of the several Counties in this Province, by their particular Names: It is therefore Resolved, That the Proceedings aforesaid of the said Commissioners, and the Certificates aforesaid by them made, are altogether Void, and of no Effect; and that no Sheriff or Collector hath any Power or Authority, to Collect, Levy, Demand, or Receive, the said additional Land-Tax.

Signed p Order, M. Macnemara, Cl. Lo. Ho.

Ordered. That the foregoing Resolve be Printed forthwith in the Maryland Gazette; and that the Clerk of this House do make an exact Copy thereof, and that it be delivered to Jonas Green, Printer, to publish accordingly.

Mr. Matthew Tilghman brings in and delivers to Mr. Speaker, a Bill, entituled, An Act for granting a Supply of £32,000 for his Majesty's Service, &c.

The first Reading thereof was proceeded on; but for want of Time to Read it throughout, consonant to the Rules of Sitting.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment, &c.

Mr. King appeared in the House.

The Order of the Day being Read; the Petition of sundry the Inhabitants of Baltimore County, was referred for Consideration on the Morrow.

L. H. J.
Liber No. 51
Oct. 8

The Bill, entituled, An Act for granting a Supply of £32,000 for his Majesty's Service, &c. was Read throughout for the first Time, and Ordered to lie on the Table.

On Motion, Ordered, That the Bill, entituled, An Act for granting a Supply of £32,000 for his Majesty's Service, &c. be Read the second Time, which was accordingly proceeded on; but for want of Time to Read it throughout, consonant to the Rules of Sitting.

The House adjourns till the Morrow Morning at 8 a Clock.

Oct. 9

Thursday, 9th October, 1760.

The House met according to Adjournment, &c.

The Bill, entituled, An Act for granting a Supply of £32,000, &c. was Read the second Time, and committed for Amendments.

Dr. Steuart brings in and delivers to Mr. Speaker, a Bill, entituled, An Act for Conveying and Transporting the French Prisoners, therein mentioned, to England; which was Read the first Time, and Ordered to lie on the Table.

On Reading the second Time the Report brought in by Mr. Wilson, relative to those Laws which will expire with the Close of this Session, the House concurs therewith.

p. 317 Ordered, That Mr. Matthew Tilghman and Mr. Hanson, Mr. Murdock and Mr. Charles Goldsborough, do prepare and bring in Bills to continue the several Acts therein mentioned.

On Motion, Leave given to bring in a Bill to Revive the Act, entituled, An Act for Punishment of Fornication and Adultery.

Ordered, That Mr. Matthew Tilghman, Mr. Hanson, Mr. Murdock, and Mr. Charles Goldsborough, do prepare and bring in a Bill accordingly.

Benedict, Calvert, Esq; from the Upper House, delivers to Mr. Speaker, the Bill, entituled, An Act for Easing the Inhabitants of this Province, from the great and unequal Burthen of the additional Land-Tax; and the following Message, viz.

By the Upper House of Assembly, 9th October, 1760.
Gentlemen,

Although we were of Opinion, when we proposed the several Amendments that are Indorsed on the Bill, entituled, An Act for Easing the Inhabitants of this Province, from the great and unequal Burthen of the additional Land-Tax, and still think that it would be advisable on many Accounts for us to extend, at this Time, the Duration of the Act for granting a Supply of £40,000 for his Majesty's Service, that was passed in 1756, for One Year only, beyond the Term for which it was originally intended to remain in Force, yet, as the Funds that were appropriated to sink the Bills

of Credit which were emitted by Virtue of that Act, have proved deficient beyond all our Expectations, and we think it just and expedient that the Land-Holders in this Province, should be, in some Measure, relieved from the great and unequal Burthen which is about to fall on them; we are willing to agree to your Proposition for continuing the £40,000 Act, for the Term of Two Years after the Term when it would otherwise expire. But as we are far from being satisfied, that no ill Consequence would follow from the Collectors being directed by the Bill in Question to receive Gold and Silver Specie at different Ratio, from those at which it is now, in Consequence of an Act of Assembly, paid by the Inhabitants of this Province in Discharge of Officers Fees and Public Debts (and unless it was to be paid at higher Rates into the Loan-Office, it is evident that the Value of our Paper Currency would be greatly depreciated) we are determined to adhere to our second Amendment, being at the same Time persuaded, that the People who may want Paper Money to pay the Taxes with which they shall be charged, under the £40,000 Act, and the Continuing Bill proposed, will be able to procure it at lower Exchange than Thirty-three and a Third Advance upon Sterling.

As you were not ignorant, Gentlemen, after what Method the Commissioners were Named by the Two Houses, at the Time when the £40,000 Act was Framed, we with you had not attempted to introduce a new Mode on the present Occasion, because it looks as if you were fond of Innovations: However, as you seem to acknowledge the Propriety of an Objection to that Part of the Bill, we wave all Dispute with you on this Head, and have Nominated Samuel Chamberlaine, Benjamin Tasker, junior, Benedict Calvert, Daniel Dulany, and Stephen Bordley, Esquires, to join the Members Named by your House as Commissioners for the Purposes in the said Bill mentioned. These Amendments being made to the Bill, which we have now returned you, the same will Pass.

L. H. J.
Liber No. 51
Oct. 9
p. 318

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Signed p Order, J. Ross, Cl. Up. Ho.

On Reading the said Message, with the Amendments proposed, the House agrees therewith; and Ordered, that the same be made accordingly.

On Motion, Ordered, That the Petition of Mary Stansbury, be Referred for Consideration at the next Session of Assembly.

The adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

Mr. Earle appeared in the House.

Mr. Waters, on his Application to the House, hath Leave of Absence.

L. H. J.
Liber No. 5^r
Oct. 9

The Order of the Day being Read; the House proceeded to an Hearing on the Petition of the Inhabitants of Baltimore County, and Referred the same for further Consideration on the Morrow Morning.

Ordered, That the Petition of the Inhabitants of Baltimore County be heard at the Bar of this House, on the Morrow Morning, immediately after the Call of the House.

The House adjourns till the Morrow Morning at 8 o Clock.

Oct. 10

Friday, 10th October, 1760.

The House met according to Adjournment. The Members were called, and all appeared as Yesterday, except Mr. Wilson and Mr. Waters. The Proceedings were Read.

The Order of the Day being Read; the House proceeded further p. 320 on an Hearing of the Petition of the Inhabitants of Baltimore County, and Referred the same for further Consideration Afternoon.

The Bill, entituled, An Act for Conveying and Transporting the French Prisoners therein mentioned, to England, was Read the second Time by an especial Order, and will pass; and was sent to the Upper House by Mr. Dulany and Mr. Hanson.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

Mr. John Hammond, a Delegate this Day Elected by the Free-holders of Anne-Arundel County, to serve in the General Assembly of this Province, appeared in the House.

Ordered, That Mr. Gassaway and Mr. Carroll do go with that Gentleman to the Upper House, to see him there Qualified. They return and acquaint Mr. Speaker, that they saw him Qualified in the usual Manner. The Gentleman took his Seat in the House.

The Order of the Day being Read; the House took into further Consideration the Petition of the Inhabitants of Baltimore County; and, on Motion, the Question was put, That the further Consideration of the said Petition be Referred to the next Session of Assembly. Resolved in the Affirmative.

For the Affirmative,

Gresham,	C. Goldsborough,	Murdock,
Gassaway,	Travers,	Fraser,
Carroll,	M. Tilghman,	Dulany,
Worthington,	Govane,	Steuart,
Hammond,	Owings,	Hopper,
Waggaman,	Baker,	Cresap.
Sulivane,	Mauldin,	

	For the Negative,		L. H. J. Liber No. 51 Oct. 10
Greenfield,	Edmondson,	Selby,	
Tilden,	Gibson,	Crabb,	
Gantt,	J. H. Dorsey,	Chapline.	
Hanson,	Earle,		
Stoddert,	King,		[13]

The House adjourns till the Morrow Morning at 8 of the Clock.

Saturday, 11th October, 1760.

The House met according to Adjournment. The Members were called, and all appeared as Yesterday. The Proceedings were Read. Oct. 11 p. 321

Mr. Tilden, on his Application to the House, hath Leave of Absence.

Mr. Matthew Tilghman brings in and delivers to Mr. Speaker, the Bill, entituled, An Act for granting a Supply of £32,000 for his Majesty's Service; which had been committed for Amendments.

On Reading the Amendments made in the said Bill, the Question was put, That the following Proviso, viz.^t Provided always, and be it Enacted, That nothing in this Act contained, shall extend, or be construed to extend, in the laying any Tax or Imposition on any Goods, Wares or Merchandizes, that are or shall be imported into this Province from Great-Britain, be made Part of the said Bill. Resolved in the Affirmative.

	For the Affirmative,	
Greenfield,	Gibson,	Fraser,
Tilden,	Sulivane,	Dulany,
Gassaway,	Govane,	Hopper,
Carroll,	J. H. Dorsey,	M. Tilghman,
Hammond,	Earle,	Crabb,
Gantt,	Baker,	Chapline,
Hanson,	Mauldin,	Cresap.
Stoddert,	Murdock,	

[23]

For the Negative,

Gresham,	C. Goldsborough,	Steuart,
Worthington,	Travers,	Selby.
Waggaman,	Owings,	
Edmondson,	King,	

[10]

The Bill, entituled, An Act for granting a Supply of £32,000 for his Majesty's Service, &c. was Read a second Time, with the Amendments, and the Question was put, That the said Bill do pass. Resolved in the Affirmative. p. 322

L. H. J. Liber No. 51 Oct. 11	For the Affirmative,	
Gassaway,	Sulivane,	Murdock,
Carroll,	Govane,	Fraser,
Worthington,	J. H. Dorsey,	King,
Hammond,	Owings,	M. Tilghman,
Gantt,	Earle,	Chapline,
Hanson,	Baker,	Cresap.
Stoddert,	Mauldin,	

[20]

For the Negative,		
Greenfield,	Gibson,	Hopper,
Gresham,	C. Goldsborough,	Selby,
Tilden,	Travers,	Crabb.
Waggaman,	Dulany,	
Edmondson,	Steuart,	

[13]

In Pursuance of the foregoing Resolution, the said Bill was Indorsed, Read the second Time, and will pass; and was sent to the Upper House by Mr. Matthew Tilghman and Mr. Hammond.

The Bill, entituled, An Act to augment the Salaries of several Inspectors, was Read the second Time, and Indorsed, will pass.

Mr. Goldsborough brings in and delivers to Mr. Speaker, a Bill, entituled, An Act continuing an Act, entituled, An Act for the speedy Recovery of small Debts out of Court, before one Justice of the Peace. And,

A Bill, entituled, An Act continuing an Act, entituled, An Act for the Gauge of Barrels for Pork, Beef, Pitch, Tar, Turpentine, and Tare of Barrels for Flour or Bread.

Which were severally Read the first and second Time by an especial Order, and will pass.

Mr. Hanson brings in and delivers to Mr. Speaker, a Bill, entituled, An Act continuing an Act, entituled, An Act for Relieving the Inhabitants of this Province, from some Aggrievances in the Prosecution of Suits at Law; and for continuing the Supplementary Act thereto. And,

The Bill, entituled, An Act continuing an Act, entituled, A Supplementary Act to the Act, entituled, An Act ascertaining the Height of Fences, to prevent the Evil occasioned by the Multitude of Horses, and restraining Horse-Rangers, within this Province; and to redress the great Evil accruing to this Province, by the Multiplicity of useless Horses, Mares, and Colts, that run in the Woods.

Which Bills were severally Read the first and second Time by an especial Order, and will pass.

And, with the Bill entituled, An Act to augment the Salaries of several Inspectors, were sent to the Upper House by Mr. Sulivane and Mr. Owings.

On Reading the Petition of the Reverend Mr. Bacon the first
and second Time; Ordered, That Mr. Dulany, Mr. Tilghman, Mr.
Carroll, Mr. Murdock, and Mr. Hammond, do bring in a Bill for
the Purposes mentioned in the said Petition.

L.H.J.
Liber No. 51
Oct. 11

The House adjourns until 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

On Motion, that the Journals of the Lower House of Assembly,
now remaining in the Secretary's Office as well as the Records of
Laws, being very imperfect, or in a confused State; Ordered, That
the Reverend Mr. Bacon have Access to the Records of Assembly,
particularly from the Year 1692 to the Year 1703, in order for his p. 324
better Revising the Laws.

Mr. Matthews Tilghman brings in and delivers to Mr. Speaker, an
Ingrossed Bill, entituled, An Act for Easing the Inhabitants of this
Province, from the great and unequal Burthen of the additional
Land-Tax, which was Read and Assented to, and sent to the Upper
House, with the Paper Bill thereof, by Mr. Murdock and Mr. Earle.

On Motion, Ordered, That Mr. Hammond be added to the Com-
mittee of Aggrievances and Courts of Justice.

The House adjourns till Monday Morning at 9 a Clock.

Monday, 13th October, 1760.

Oct. 13

The House met according to Adjournment. The Members were
called, and all appeared as on Saturday, except Mr. Gresham, Mr.
Waggaman, and Mr. Govane. The Proceedings were Read.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker,
the Paper Bill, entituled, An Act for Easing the Inhabitants of this
Province, from the great and unequal Burthen of the additional
Land-Tax, Indorsed, By the Upper House of Assembly, 13th Oc-
tober, 1760. The Ingrossed Bill, whereof this is the Original, is
Read and Assented to.

Signed p Order, J. Ross, Cl. Up. Ho.

Col. Henry, and Stephen Bordley, Esq; from the Upper House,
acquaint Mr. Speaker, That the Governor requires the Attendance
of the Lower House immediately in the Council Chamber.

Mr. Speaker left the Chair, and with the Rest of the Members p. 325
of the Lower House went to the Council Chamber, and there pre-
sented to his Excellency, the Ingrossed Bill, entituled,

An Act for Easing the Inhabitants of this Province, from the
great and unequal Burthen of the additional Land-Tax;

Which the Governor Passed into a Law in the usual Manner.

L. H. J.
Liber No. 51
Oct. 13

Mr. Speaker with the Rest of the Members returned to the Lower House, and re-assumed the Chair.

Mr. Hanson brings in and delivers to Mr. Speaker, a Bill, entituled, An Act Reviving and Continuing an Act, entituled, An Act directing the Manner of Punishing Fornication and Adultery before a single Justice of the Peace, out of Court.

A Bill, entituled, An Act continuing an Act, entituled, An Act to remedy some Evils relating to Servants.

Which Bills were severally Read the first and second Time by an especial Order, and will pass.

Col. Henry, from the Upper House, delivers to Mr. Speaker, the Bill, entituled, An Act for continuing an Act, entituled, An Act for Relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, &c.

The Bill, entituled, An Act continuing an Act, entituled, A Supplementary Act to the Act, entituled, An Act ascertaining the Height of Fences, &c.

The Bill, entituled, An Act continuing an Act, entituled, An Act for the Gauge of Barrels for Pork, Beef, Pitch, Tar, Turpentine &c.

The Bill, entituled, An Act continuing an Act, entituled, An Act for the speedy Recovery of small Debts out of Court, before one Justice of the Peace. And,

^{p. 326} The Bill, entituled, An Act to augment the Salaries of several Inspectors.

All which Bills were severally Indorsed; By the Upper House of Assembly, 13th October, 1760.

Read the first and second Time by an especial Order, and will pass.

Signed p Order, J. Ross, Cl. Up. Ho.

Which Bills were severally Read here, and passed for Ingrossing.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, the Bill, entituled, An Act for Granting a Supply of £32,000 for his Majesty's Service, &c. Indorsed, By the Upper House of Assembly, 13th October, 1760. Read the first Time, and will not pass.

Signed p Order, J. Ross, Cl. Up. Ho.

Col. Lloyd, from the Upper House, delivers to Mr. Speaker, the Bill, entituled, An Act for Conveying and Transporting the French Prisoners, therein mentioned, to England; Indorsed, By the Upper House of Assembly, 13th October, 1760. Read the second Time, and will pass with the following Amendments:

In the 10th Line of the first Page, after the Word that, insert the Names James Dick and Lancelot Jacques.

In the second Page, after the 12th Line, insert as follows, And be it further Enacted, by the Authority aforesaid, a Commission at 5 P Centum be taken and retained by the Commissioners aforesaid, for their Trouble in the Execution of this Act.

L. H. J.
Liber No. 51
Oct. 13

Signed p Order, J. Ross, Cl. Up. Ho.

Which Amendments being Read, the House doth not agree therewith.

The House adjourns till the Morrow Morning at 9 of the Clock. p. 327

Tuesday, 14th October, 1760.

Oct. 14

The House met according to Adjournment. The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Mr. William Thomas appeared in the House.

The Petition of All-Saints Parish, in Frederick County, Referred last Session to the Consideration of this Session, was again Read, and Referred to the Consideration of the next Session of Assembly.

The Bill, entituled, An Act reviving and continuing an Act, entituled, An Act directing the Manner of Punishing Fornication and Adultery before a single Justice of the Peace, out of Court. And,

The Bill, entituled, An Act continuing an Act, entituled, An Act to remedy some Evils relating to Servants;

Were sent to the Upper House by Col. Hopper and Mr. Dorsey.

The House taking into Consideration the Inconveniencies arising from the Non-Attendance of Members at the Beginning of every Session of Assembly, and from Members absenting themselves without Leave of the House, Do Resolve, That every Member who doth not send his reasonable Excuse in Writing to the Speaker, on or before the second Day, after the Day appointed for the Meeting of every Session of Assembly, shall be burthened with all the Expence that shall accrue upon such Member's being sent for by the Serjeant, to be deducted out of such Member's Allowance in the Journal of Accounts. And that if any Member shall absent himself, during the Session of Assembly, without Leave of the House, the Allowance due to such Member for his preceding Attendance in such Session, shall be struck off the Journal of Accounts.

p. 328

On Reading the Representation of the Justices of the Peace and Grand Jury of Cæcil County; Ordered, That Leave be given to bring in a Bill, To enable the Inhabitants of Cæcil County to erect an House for the Benefit of the Poor of the said County; and that Mr. Matthew Tilghman, Mr. Earle, Mr. Baker, Mr. Goldsborough, and Mr. Hanson, do prepare and bring in a Bill accordingly.

On Motion, Leave given to bring in a Bill, To enlarge the Allowances of the Grand and Petit Jurors, and Witnesses, attending the Provincial Courts.

L. H. J.
Liber No. 5^t
Oct. 14 Ordered, That Mr. Earle, Mr. Matthew Tilghman, Mr. Carroll,
Mr. Murdock, Mr. Goldsborough, and Mr. Hammond, do prepare
and bring in a Bill accordingly.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

Mr. Hanson brings in and delivers to Mr. Speaker, the following
Ingrossed Bills, Viz.

An Ingrossed Bill, entituled, An Act continuing an Act, entituled,
An Act for the Gauge of Barrels for Pork, Beef, Pitch, Tar, Tur-
pentine, and Tare of Barrels for Flour or Bread.

An Ingrossed Bill, entituled, An Act continuing an Act, entituled,
An Act for Relieving the Inhabitants of this Province from some
Aggrievances in the Prosecution of Suits at Law; and for continuing
the Supplementary Act thereto.

An Ingrossed Bill, entituled, An Act continuing an Act, entituled,
An Act for the speedy Recovery of small Debts out of Court, before
one Justice of the Peace.

An Ingrossed Bill, entituled, An Act continuing an Act, entituled,
A Supplementary Act to the Act, entituled, An Act ascertaining the
p. 329 Heights of Fences, to prevent the Evil occasioned by the Multitude
of Horses, and restraining Horse-Rangers, within this Province;
and to redress the great Evil accruing to this Province, by the Multi-
plicity of useless Horses, Mares, and Colts, that run in the Woods.

And, an Ingrossed Bill, entituled, An Act to augment the Salaries
of several Inspectors.

Which Bills were severally Read and Assented to, and sent to the
Upper House, with the Paper Bills thereof, by Mr. Worthington and
Mr. Stoddert.

Stephen Bordley, Esq; from the Upper House, delivers to Mr.
Speaker, the Bill, entituled, An Act continuing an Act, entituled, An
Act to remedy some Evils relating to Servants; Indorsed, By the
Upper House of Assembly 14th October 1760. Read the first Time
& Ordered to Lye on the Table

Signed p Order J Ross Cl Up Ho

And thus By the Upper House of Assembly, 14th October, 1760.
Read the second Time, and will pass.

Signed p Order, J. Ross, Cl. Up. Ho.

Which Bill was Read here, and passed for Ingrossing.

Richard Lee, Esq; from the Upper House, delivers to Mr. Speaker,
the Bill, entituled, An Act reviving and continuing an Act, entituled,
An Act directing the Manner of punishing Fornication and Adultery,
before a single Justice of the Peace, &c. Indorsed, By the Upper

House of Assembly, 14th October, 1760. Read the second Time, and will not pass.

L. H. J.
Liber No. 51
Oct. 14

Signed p Order, J. Ross, Cl. Up. Ho.

Mr. Charles Goldsborough brings in and delivers to Mr. Speaker, p. 330 an Ingrossed Bill, entituled, An Act continuing an Act, entituled, An Act to remedy some Evils relating to Servants; which was Read and Assented to, and sent to the Upper House, with the Paper Bill thereof, by Mr. Gantt and Mr. Owings.

The House adjourns till the Morrow Morning at 9 of the Clock.

Wednesday, 15th October, 1760.

Oct. 15

The House met according to Adjournment, &c.

Mr. Earle brings in and delivers to Mr. Speaker, a Bill, entituled, An Act for increasing the Allowance of Grand and Petit Jurors, who shall attend the Provincial Court, to limit Costs with respect to Witnesses, and granting them an Allowance for itinerant Charges; which was Read the first and second Time by an especial Order, and will pass; and was sent to the Upper House by Mr. Earle and Mr. Gibson.

Mr. Hammond brings in and delivers to Mr. Speaker, a Bill, entituled, An Act for Encouraging a Collection and Publication of the Laws of this Province; which Bill was Read the first Time, and Ordered to lie on the Table.

On Reading the Bill, entituled, An Act for Encouraging a Collection and Publication of the Laws of this Province, the second Time, the Question was put, That this House do insert all the Commissioners Names in the said Bill. Resolved in the Affirmative.

For the Affirmative,

Greenfield,	Stoddert,	Fraser,
Thomas,	Sulivane,	King,
Gassaway,	J. H. Dorsey,	M. Tilghman,
Carroll,	Owings,	Crabb,
Worthington,	Baker,	Chapline,
Hammond,	Earle,	Cresap.
Gantt,	Mauldin,	
Hanson,	Murdock,	

[22]

For the Negative,

Gibson,	Dulany,	Selby.
C. Goldsborough,	Steuart,	
Travers,	Hopper,	

[7]

L. H. J.
Liber No. 51
Oct. 15
p. 331

The Bill, entituled, An Act for Encouraging a Collection and Publication of the Laws of this Province, was Read the second Time, and will pass; and was sent to the Upper House by Mr. Carroll and Mr. Hammond.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, the Bill, entituled, An Act for increasing the Allowance of Grand and Petit Jurors, who shall attend the Provincial Courts, &c. Indorsed, By the Upper House of Assembly, 15th October, 1760. Read the first and second Time by an especial Order, and will pass.

Signed p Order, J. Ross, Cl. Up. Ho.

Which Bill was here Read, and passed for Ingrossing.

Stephen Bordley, Esq; from the Upper House, delivers to Mr. Speaker, the Bill, entituled, An Act for Encouraging a Collection and Publication of the Laws of this Province; Indorsed, By the Upper House of Assembly, 15th October, 1760. Read the first Time, and will not pass.

Signed p Order, J. Ross, Cl. Up. Ho.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

p. 332 Mr. Earle brings in and delivers to Mr. Speaker, an Ingrossed Bill, entituled, An Act for increasing the Allowance of Grand and Petit Jurors, who shall attend the Provincial Court, to limit Costs with respect to Witnesses, and granting them an Allowance for itinerant Charges; which was Read and Assented to, and sent to the Upper House, with the Paper Bill, by Mr. Charles Goldsborough and Mr. Sulivane.

Ordered, That the Bill, entituled, An Act for Encouraging a Collection and Publication of the Laws of this Province, be Printed in the Gazette.

Col. Henry, from the Upper House, delivers to Mr. Speaker, the several Paper Bills the Ingrossed Bills of which had been severally Indorsed, Read and Assented to by the Lower House of Assembly; which said Paper Bills were severally Indorsed, By the Upper House of Assembly; The Ingrossed Bill, whereof this is the Original, is Read and Assented to.

Signed p Order, J. Ross, Cl. Up. Ho.

Ordered, That Dr. Steuart and Mr. Gantt do acquaint the Governor, That no Public Business lies before this House to Transact.

Col. Henry, and Stephen Bordley, Esq; from the Upper House, acquaint Mr. Speaker, That the Governor requires the Attendance of the Lower House immetliately in the Council Chamber.

Mr. Speaker left the Chair, and (being attended with the Rest of the Members of the Lower House) went to the Council Chamber, and there presented to his Excellency the Governor,

An Ingrossed Bill, entituled, An Act continuing an Act, entituled,
An Act for the Gauge of Barrels for Pork, Beef, Pitch, Tar, Tur-
pentine, and Tare of Barrels for Flour or Bread.

L. H. J.
Liber No. 51
Oct. 15
p. 333

An Ingrossed Bill, entituled, An Act continuing an Act, entituled,
An Act for Relieving the Inhabitants of this Province from some
Aggrievances in the Prosecution of Suits at Law; and for continuing
the Supplementary Act thereto.

An Ingrossed Bill, entituled, An Act continuing an Act, entituled,
An Act for the speedy Recovery of small Debts out of Court, before
one Justice of the Peace.

An Ingrossed Bill, entituled, An Act continuing an Act, entituled,
A Supplementary Act to the Act, entituled, An Act ascertaining
the Height of Fences, to prevent the Evil occasioned by the Multi-
tude of Horses, and restraining Horse-Rangers, within this Prov-
ince; and to redress the great Evil accruing to this Province, by the
Multiplicity of useless Horses, Mares, and Colts, that run in the
Woods.

An Ingrossed Bill, entituled, An Act to augment the Salaries of
several Inspectors.

An Ingrossed Bill, entituled, An Act continuing an Act, entituled,
An Act to remedy some Evils relating to Servants.

An Ingrossed Bill, entituled, An Act for increasing the Allowance
of Grand and Petit Jurors, who shall Attend the Provincial Court,
to limit Costs with respect to Witnesses, and granting them an
Allowance for Itinerant Charges.

All which his Excellency the Governor passed into Laws; and
made the following Speech:

Gentlemen of the Upper and Lower Houses of Assembly,

p. 334

I do, with the Advice of his Lordship's Council of State, Prorogue
this Assembly to the Second Monday in March; and you are to take
Notice you are Prorogued to that Day accordingly.

So Endeth this Session of Assembly, this 15th Day of October,
1760.

Test. M. Macnemara, Cl. Up. Ho.

ACTS OF ASSEMBLY PASSED SEPTEMBER-OCTOBER 1760

Liber H. S.
No. I
p. 386

At a Session of Assembly begun and held at the City of Annapolis on Friday the Twenty Sixth Day of September in the Tenth Year of the Dominion of the Right Honourable Frederick, Absolute Lord and Proprietary of the Provinces of Maryland and Avalon, Lord Baron of Baltimore, & so forth Anno Domini 1760 and ending the [Fifteenth] Day of [October] following

The following Laws were enacted and assented to by His Excellency Horatio Sharpe Esq.^r Governor

No. I An Act for Easing the Inhabitants of this Province, from the great and unequal Burthen of the additional Land-Tax.

[Preamble.]

Whereas it appears by the Proceedings of the Commissioners impowered by the Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and striking Thirty-four Thousand and Fifteen Pounds Six Shillings thereof in Bills of Credit, and raising a Fund for sinking the same, to compute and ascertain, in Case of a Deficiency in the Funds by the said Act raised and appropriated for the replacing and sinking the said Sum, what Rate, by way of additional Tax on Lands, to be imposed in the same Manner with the Land-Tax by the said Act imposed, would undoubtedly be sufficient to make good such Deficiency, that there is imposed a Tax of Seven Shillings and Seven Pence per Hundred Acres on all Lands, and so in Proportion for a greater or less Quantity, with the further Sum of Seven Shillings and Seven Pence on all Lands held by Papists of the Age of Eighteen Years or upwards, who shall refuse to take the Oaths to the Government, one Half of which is, according to the Directions of the said Act, payable in a few Days, and the Remainder on the Twenty-fifth Day of March next. And as it is thought unequal and grievous, that the Land-Holders only should be burthened with the Payment of a Sum exceeding one Third of a Tax imposed for his Majesty's Service, and the Security of the good People of this Province in general, besides their full Proportion of all other Taxes: In order therefore to quiet the Minds of his Majesty's good Subjects of this Province, by rendering the said Tax less unequal and grievous;

[Proceedings
of the Com-
missioners
null and
void.]

Be it Enacted by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Rate aforesaid of the additional Land-Tax aforesaid, and the Certificates thereof made by the Commissioners afore-

said, are hereby declared null and void; and that it shall not be lawful for any Officer whatsoever within this Province, to take or receive by Virtue thereof, any Sum or Sums of Money by Way of additional Land-Tax from any Person or Persons whatsoever; and if any Officer or Officers within this Province, by Force or Colour of the Rate aforesaid, and Certificate thereof made, hath received, or shall receive, any Sum or Sums of Money for or upon Account of the said additional Land-Tax, such Officer and Officers is and are hereby directed and obliged to repay, upon Demand, all and every such Sum or Sums of Money to the Person or Persons from whom he or they received the same; and in case Default be made, in repaying the same upon Demand, (provided such Demand be made at the Dwelling-House or Office of such Officer) it shall and may be lawful for such Person or Persons, who hath or have paid the same, to recover the same from such Officer or Officers, with Costs of Suit, in the same Manner as other Debts are or may be recovered within this Province; any Thing in the aforesaid recited Act to the contrary notwithstanding.

And be it further Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the several and respective Clauses mentioned and contained in the said Act, relating to the several Duties, Taxes, Fines, Forfeitures and Penalties, thereby imposed or continued, and the Levying, Collecting, Recovery and Paying in thereof (except as therein excepted) and also the several and respective Clauses in the said Act relating to the replacing and sinking the aforesaid Sum of Forty Thousand Pounds, shall be and are hereby declared to continue and be in full Force for and during the Time hereafter mentioned.

And be it likewise Enacted, That such Parts of the Act of Assembly, entituled, An Ast for issuing and taking out of the Office of the Commissioners or Trustees appointed for Emitting Bills of Credit, established by Act of Assembly, the Sum of Four Thousand Five Hundred Pounds Current Money, for Encouragement of such able-bodied Freemen as shall voluntarily enlist themselves in his Majesty's Service for the intended Expedition against Canada, and for maintaining and conveying them to the Place of Rendezvous; as also for replacing the said Sum, and for the better regulating Ordinaries and Ordinary-Keepers, and for other Purposes therein mentioned, as relate to the regulating of Ordinaries, Ordinary-Keepers, granting Ordinary Licences, and the several Clauses, Matters and Things, therein mentioned, concerning the same; and the several Clauses of the Act for his Majesty's Service, made at a Session of Assembly begun and held at the City of Annapolis on the Seventeenth Day of July, in the Year One Thousand Seven

Liber H. S.
No. 1

Collectors
obliged to
refund.]

p. 387

[Duties im-
posed by a
former Act
continued.]

[Several Du-
ties, Taxes,
&c. laid by
several for-
mer Acts,
continued.]

Liber H. S. Hundred and Fifty-four, any way relative to the several Duties,
 No. I Taxes, Licence-Money, Fines and Forfeitures, therein mentioned,
 except the Duty on Servants imported for the Term of Seven Years
 or upwards, and the Duty of Two Pence per Gallon on Madeira
 Wine, shall be and are hereby continued in full Force from the Time
 the Purposes in the said Acts shall be fully answered and complied
 with, until the Purposes of the Act, entituled, An Act for granting
 a Supply of Forty Thousand Pounds for his Majesty's Service, and
 strinking Thirty-four Thousand and Fifteen Pounds Six Shillings
 thereof in Bills of Credit, and raising a Fund for sinking the same,
 shall be fully answered and complied with, and the Sum of Money
 thereby granted, shall be repaid and replaced in the Loan-Office, and
 from thence for and during the Continuance of this Act.

[Commissioners appointed, in
 Case the
 Funds should
 not raise a
 sufficient
 Sum, to meet
 and make an
 Estimate of
 the Defi-
 ciency, and
 lay an
 additional
 Land-Tax.]

p. 388

And to prevent any Evils that may possibly arise, should the
 several Funds by the aforesaid Acts imposed, and by this Act con-
 tinued, be insufficient to replace and sink the Sum of Forty Thousand
 Pounds, according to the true Intent and Design of this, and the
 Act for granting thereof, Be it Enacted by the Authority aforesaid,
 That the Honourable Samuel Chamberlaine, Benjamin Tasker,
 junior, Benedict Calvert, Daniel Dulany, and Stephen Bordley,
 Esquires, Charles Carroll, John Gassaway, William Murdock,
 Matthew Tilghman, and Robert Lloyd, Esquires, are appointed
 by Virtue of this Act Commissioners for the Purposes herein after
 mentioned; That is to say, the said Commissioners or the Majority
 of them, or of the Survivors of them, shall, on the First Monday
 of August, which shall be in the Year of our Lord One Thousand
 Seven Hundred and Sixty-two, repair to the Office of the Commis-
 sioners or Trustees for Emitting Bills of Credit, established by Act
 of Assembly, and there examine and inspect into the State of the
 Funds and Account of Money paid into the said Office, in Virtue
 of this Act, and the Parts of the Acts herein mentioned to be con-
 tinued, and shall make an Estimate of what the several Taxes, Duties,
 Impositions, Licence-Money, Fines and Forfeitures, therein men-
 tioned and continued, will amount to in Seven Years, allowing the
 Seventh Year's Collection of the said Taxes, Duties, Impositions,
 Licence-Money, Fines and Forfeitures, to be equal to the averaged
 Rate of the Six last preceding Years Collection; and if it shall
 appear to them by such Estimate that there will be a Deficiency, that
 is, that the Sum of Five Thousand Nine Hundred and Eighty-four
 Pounds Fourteen Shillings will not, by the Ways and Means in this
 Act, and the Parts of the Acts herein mentioned to be continued, be
 replaced, and the Sum of Thirty-four Thousand and Fifteen Pounds
 Six Shillings paid in, in order to be sunk and destroyed as aforesaid,
 by the Expiration of Seven Years, from the Twentieth Day of June,
 which was in the Year of our Lord One Thousand Seven Hundred
 and Fifty-Six, then and in such Case, the said Commissioners or the

Majority of them, or of the Survivors of them, shall compute and ascertain what Rate, by way of additional Tax on Lands, to be imposed in the same Manner with the Land-Tax before imposed, will undoubtedly be sufficient to make good such Deficiency as aforesaid, adding thereto the Sum of Five Hundred Pounds. And the said Commissioners who shall ascertain the Rate of such additional Land-Tax, shall make out Certificates of such Rate under their Hands and Seals to the Collector of the Land-Tax of each respective County, and deliver the same by the Twentieth Day of August, Seventeen Hundred and Sixty-two, inclosed and indorsed, for his Lordship's Service, to the Sheriff of Anne-Arundel County, or his Deputy, under the Penalty of One Hundred Pounds Current Money on each Commissioner who shall ascertain the Rate aforesaid, and whose Hand and Seal shall not be set and affixed to such Certificate, to be recovered by Action of Debt, Bill, Plaintiff or Information, wherein no Essoin, Protection or Wager of Law, or more than one Imparlane, shall be allowed; one Half thereof to be paid to the Informer, or him or them that shall sue for the same, the other Half thereof to be paid to the Commissioners or Trustees for Emitting Bills of Credit aforesaid, to be by them applied to the replacing and sinking the aforesaid Forty Thousand Pounds.

And be it further Enacted by the Authority aforesaid, That if the Accounts of the Commissioners or Trustees for Emitting Bills of Credit aforesaid, relating to the Monies received on the several Ways and Means in this Act, and the Acts herein mentioned to be continued, shall not on the aforesaid First Monday of August be in such Order, that the State of the Funds, to be raised by the Ways and Means aforesaid, can be seen, or the Sums of Money received thereon, known on View, then and in such Case each of such Commissioners shall forfeit and pay the Sum of One Hundred Pounds Current Money; to be recovered by Action of Debt, Bill, Plaintiff or Information, wherein no Essoin, Protection, or Wager of Law, or more than one Imparlane, shall be allowed; one Half thereof to the Informer, or him, her or them, that shall sue for the same; the other Half to be paid to the Commissioners or Trustees for Emitting Bills of Credit aforesaid; to be by them applied to the replacing and sinking the aforesaid Forty Thousand Pounds.

And be it further Enacted by the Authority aforesaid, That each of the said Commissioners who shall attend at the Paper Currency Office on the Day aforesaid, and set his Hand and Seal to such Certificates as aforesaid, shall be allowed in the Journal of Accounts of this Province, the same Wages respectively as are allowed by Law to Councilors and Delegates serving in General Assembly, besides their itinerant Charges, and no more.

Liber H. S.
No. 1

[Penalty on
the Com-
missioners of
the Loan-
Office, if
they have
not their
Accounts
clearly
stated by the
first of
August,
1762.]

p. 389

[Allowance
to Commis-
sioners.]

Liber H. S. And be it further Enacted by the Authority aforesaid, That the
 No. 1 said Commissioners for ascertaining the additional Land-Tax aforesaid, shall lay before the next General Assembly of this Province, after the said Twentieth Day of August, Seventeen Hundred and Sixty-two, on the Third Day after their Meeting, a full and fair Account of all their Proceedings relative to the Execution of their Trust aforesaid, for their Approbation.

[Additional Land-Tax, how to be levied.] And be it further Enacted by the Authority aforesaid, That the said additional Land-Tax shall be collected, levied, accounted for, and paid, in the same Manner, and under the same Penalties, Fines and Forfeitures, to all Intents and Purposes, as the Land-Tax in the before recited Act imposed, is to be collected, levied, accounted for, and paid; and the Penalties, Fines and Forfeitures, relative thereto, shall be recovered and applied as by the said Act is directed, as to the Penalties, Fines and Forfeitures, relative to the Land-Tax aforesaid.

[Surplus, if any, how to be applied.] And be it further Enacted, That in Case any more Money shall be raised in Virtue of this Act, than shall be sufficient to make good the Deficiency herein before mentioned, the same shall be applied towards the Discharge of the Public Expence of this Province, as the General Assembly thereof, for the Time being, shall direct and appoint.

[Preamble.] This Act to continue until the Twentieth Day of June, which shall be in the Year of our Lord One Thousand Seven Hundred and Sixty-three, and to the End of the next Session of Assembly which shall happen thereafter; except as to the Recovery of all and every of the Penalties, Fines and Forfeitures, mentioned in this and the aforesaid recited Acts, and except also as to the accounting for, paying in, and recovering of all Sums of Money, by or from the several Collectors and Officers appointed by the said Acts to carry the same into Execution, which they shall or ought to have collected, levied, accounted for, or paid in.

11th October 1760
 Read and assented to
 By the Lower house of
 assembly

Signed p order
 MMacnemara Cl lo ho

On Behalf of the Right
 Honourable the Lord
 Proprietary of this Prov-
 ince I will this be a Law

Hor.^o Sharpe

13 October 1760
 Read and assented to
 by the upper house of
 assembly

Signed p order
 JRoss Cl Up Ho

The Great Seal
 in Wax app.t

No. 2 An Act continuing an Act, entituled, An Act for the speedy Recovery
 p. 390 of small Debts out of Court, before one Justice of the Peace.

[An Act con-
 tinued.] Be it Enacted, by the Right Honourable the Lord Proprietary,
 by and with the Advice and Consent of his Lordship's Governor,
 and the Upper and Lower Houses of Assembly, and the Authority
 of the same, That an Act of Assembly of this Province, entituled, An
 Act for the speedy Recovery of small Debts out of Court, before one
 Justice of the Peace, made at a Session of Assembly, begun and

held at the City of Annapolis the Second Day of October, Anno Domini Seventeen Hundred and Fifty-three, be and is hereby continued to be and remain in full Force, for and during the Term of Three Years, and unto the End of the next Session of Assembly which shall happen after the Expiration of the said Three Years.

14th Oct:r 1760
Read and assented to
By the Lower house of
assembly
Signed p order
MMacnemara Cl lo ho

On behalf of the Right
Honble the Lord Propry
of this Province I will
this be a Law.

Hor:o Sharpe

14th Oct:r 1760
Read and assented to
by the upper house of
assembly

Signed p order
JRoss Cl Up Ho

The Great Seal
in Wax app:t

No. 3 An Act continuing an Act, entituled, An Act for the Gauge of Barrels for Pork, Beef, Pitch, Tar, Turpentine, and Tare of Barrels for Flour or Bread.

Be it Enacted, by the Right Honourable the Lord Proprietary, [An Act con-
tinued.] by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province, entituled, An Act for the Gauge of Barrels for Pork, Beef, Pitch, Tar, Turpentine, and Tare of Barrels for Flour or Bread, made at a Session of Assembly begun and held at the City of Annapolis the Fifth Day of August, Seventeen Hundred and Forty-five, be and is hereby continued to be and remain in full Force, for and during the full End and Turn of Three Years, and unto the End of the next Session of Assembly which shall happen after the Expiration of the said Three Years.

14th October 1760
Read and assented to
by the Lower House of
Assembly
Signed p order
MMacnemara Cl lo ho

On Behalf of the Right
Honourable the Lord
Propry of this Province
I will this be a Law
Hor:o Sharpe

14th Oct:r 1760
Read and assented to
by the upper house of
assembly
Signed p order
JRoss Cl Up Ho

The Great Seal
in Wax app:t

No. 4 An Act continuing an Act, entituled, An Act for Relieving the In- p. 391
habitants of this Province from some Aggrievances in the Prosecution of Suits at Law, and for continuing the Supplementary Act thereto.

Be it Enacted, by the Right Honourable the Lord Proprietary, [An Act con-
tinued.] by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province, entituled, An Act for Relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, made at a Session

Liber H. S. of Assembly begun and held at the City of Annapolis the Twenty-second Day of June, Anno Domino One Thousand Seven Hundred and Fourteen, and also one other Act, entituled, A Supplementary Act to the Act for Relieving the Inhabitants of this Province from some Aggrievances in the Prosecution of Suits at Law, made at a Session of Assembly begun and held at the City of Annapolis the Third Day of October, One Thousand Seven Hundred and Twenty-eight, be and are hereby continued to be and remain in full Force, for and during the Term of Three Years, and unto the End of the next Session of Assembly which shall happen after the Expiration of the said Three Years.

14th Octr 1760
Read & assented to by
the Lower House of As-
sembly
Signed p order
MMacnemara Cl lo ho

On behalf of the Right
Honble the Lord Propry
of this Province I will
this be a Law
Hor.^o Sharpe

14th Octr 1760
Read and assented to
by the upper house of
assembly
Signed p order
JRoss Cl Up Ho

The Great Seal
in Wax app.t

No. 5 An Act continuing an Act, entituled, A Supplementary Act to the Act, entituled, An Act ascertaining the Height of Fences, to prevent the Evil occasioned by the Multitude of Horses, and restraining Horse Rangers, within this Province; and to redress the great Evil accruing to this Province by the Multiplicity of useless Horses, Mares, and Colts, that run in the Woods.

[An Act con-
tinued.]

p. 392

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That an Act of Assembly of this Province, entituled, A Supplementary Act to the Act, entituled, An Act ascertaining the Height of Fences, to prevent the Evil occasioned by the Multitude of Horses, and restraining Horse Rangers within this Province; and to redress the great Evils accruing to this Province by the Multiplicity of useless Horses, Mares, and Colts, that run in the Woods, made at a Session of Assembly begun and held at the City of Annapolis the Eighth Day of May, Anno Domini Seventeen Hundred and Fifty, be and is hereby continued to be and remain in full Force, for and during the Term of Three Years, and unto the End of the next Session of Assembly which shall happen after the Expiration of the said Three Years.

14th Octr 1760
Read and assented to
by the Lower house of
assembly
Signed p order
MMacnemara Cl lo ho

On behalf of the Right
Honble the Lord Propry
of this Province I will
this be a Law
Hor.^o Sharpe

14 October 1760
Read and assented to
by the Upper house of
Assembly
Signed p order
JRoss Cl Up Ho

The Great Seal
in Wax app.t

No. 6 An Act to augment the Salaries of several Inspectors.

Whereas it is represented to this General Assembly, that the Salaries allowed to the several Inspectors in Somerset County, and to the Inspectors at Benedict Warehouse in Charles County, by the Act, entituled An Act for amending the Staple of Tobacco, for preventing Frauds in his Majesty's Customs, and for the Limitation of Officers Fees, are too small, and not adequate to the Trouble and Care of the said Inspectors:

Be it therefore Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Sum of Five Pounds, over and above the yearly Salary allowed by the said Act to the Inspectors of Princess-Anne-Town and Maddox's Warehouses in Somerset County, be this present Year, and every succeeding Year, annually allowed to each of the said Inspectors: And that the Sum of Five Pounds, over and above the yearly Salary allowed by the said Act to the Inspectors of Rehoboth Town and Colebourn's Creek Warehouses in the said County, be this present Year, and every succeeding Year, annually allowed to each of the said Inspectors: And that the Sum of Five Pounds, over and above the yearly Salary allowed by the said Act to the Inspectors of Greenhill and Barron Creek Warehouses in the said County, be this present Year, and every succeeding Year, annually allowed to each of the said Inspectors: And that the Sum of Five Pounds, over and above the yearly Salary allowed by the said Act to the Inspectors of Benedict Warehouse in Charles County, be this present Year, and every succeeding Year, annually allowed to each of the said Inspectors: All which Allowances shall be made and paid in the same Manner as the Salaries to the Inspectors of Warehouses are by the said recited Act directed and made payable.

[5s. per Annum added to the Salaries of sundry Inspectors.]

p. 393

This Act to continue and be in Force during the Continuance of the said recited Act.

[Continuance.]

14th October 1760
Read and assented to
by the Lower house of
Assembly

Signed p order
MMacnemara Cl lo ho

On behalf of the Right
Honble the Lord Proprietary
of this Province I will
this be a Law

Hor^o Sharpe

14th Octr 1760
Read and assented to
by the upper house of
assembly

Signed p order
JRoss Cl UP Ho

The Great Seal
in Wax app:t

No. 7 An Act continuing an Act, entituled, An Act to remedy some Evils relating to Servants.

Be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority

[An Act con-
tinued.]

Liber H. S. No. I of the same, That an Act of Assembly of this Province, entituled, An Act to remedy some Evils relating to Servants, made at a Session of Assembly begun and held at the City of Annapolis the Eighth Day of May, Anno Domini One Thousand Seven Hundred and Fifty, be and is hereby continued to be and remain in full Force, for and during the full End and Term of Three Years, and unto the End of the next Session of Assembly which shall happen after the Expiration of the said Three Years.

14th Octr 1760
Read and assented to
by the Lower house of
Assembly
Signed p order
MMacnemara Cl lo ho

On behalf of the Right
Honble the Lord Propry
of this Province I will
this be a Law
Hor.º Sharpe

14th Octr 1760
Read and assented to
by the Upper House of
Assembly
Signed p order
JRoss Cl Up Ho

The Great Seal
in Wax app:t

No. 8 An Act for increasing the Allowance of Grand and Petit Jurors, who shall attend the Provincial Court, to limit Costs with respect to Witnesses, and granting them an Allowance for itinerant Charges.

[Preamble.]

p. 394

Whereas the Allowances heretofore made to Grand and Petit Jurors attending the Provincial Court, are so small, that the same are not sufficient to maintain such Jurymen during the Time of their Attendance; in order therefore that reasonable Provision may be made for them, it is humbly prayed that it may be Enacted.

[Allowance
to Petit
Jurors at-
tending Pro-
vincial
Courts.]

[To each full
Jury.]

[In case they
are sworn
and the
Plaintiffs
don't ap-
pear.]

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That from and after the End of this Session of Assembly, there shall be allowed to every Petit Juror, who shall be summoned and attend at the Provincial Court, in Lieu and in Stead of all or any Allowance or Allowances by any former Act or Acts of Assembly of this Province, the Quantity of Forty-eight Pounds of Tobacco per Day for every Day such Petit Juror shall attend the Provincial Court aforesaid, in the Public Levy of this Province, and be paid in the County where such Juror resides, besides the Quantity of Ninety-six Pounds of Tobacco, which shall be allowed to every full Jury who shall pass their Verdict in any Cause, to be paid by the Party for whom such Verdict shall pass, and be allowed in the Bills of Costs as usual, and no more; any Law, Statute, or Usage, to the contrary, notwithstanding.

And be it further Enacted, That in Case any Jury, who shall be sworn and charged in any Cause, shall be ready to give their Verdict therein, but the Plaintiff or Plaintiffs in such Cause shall refuse to appear to such Verdict, whereby the said Plaintiff or Plaintiffs in such Cause shall be Nonsuit, that then and in such Case, the said

Liber H. S.
No. I

Jury shall be allowed the aforesaid Quantity of Ninety-six Pounds of Tobacco, in the same Manner as if they had given their Verdict in such Cause, and the same shall be paid by the Defendant or Defendants therein, and be allowed in his, her or their Bill of Costs against the Plaintiff or Plaintiffs in such Cause.

And be it further Enacted, That it shall and may be lawful for the Justices of the Provincial Court of this Province, to allow unto the Grand Jurors, who shall serve in the Provincial Court, towards defraying the Expences of the said Jurors attending the said Court, for every Court they shall attend, any Quantity of Tobacco not exceeding Six Thousand Pounds, which shall be allowed in the Public Levy of this Province, and paid in the respective Counties where they reside.

And be it further Enacted, That it shall and may be lawful for the Justices of the said Provincial Court, to allow to every Grand and Petit Juror, who shall be summoned and attend the said Court, over and above the Allowances aforesaid, for so many Days itinerant Charges as the said Justices shall think reasonable, at the Rate of Forty-eight Pounds of Tobacco per Day, to be allowed and paid in the same Manner as the other Allowances herein mentioned are directed to be allowed and paid.

And whereas it is and has been a frequent Practice among Parties to Suits, to summon several Witnesses to the Proof of one and the same Matter of Fact in a Cause, and many others who really know nothing of the Fact, only to enhance the Costs, to the Great Burthen and Oppression of the Party, who, by the Judgment of the Court in such Cause, is awarded to pay the Costs of such Suit; for Prevention whereof for the future, Be it Enacted, That in any Action or Actions to be commenced after the End of this Session of Assembly, there shall not be allowed the Charge of more than Three Witnesses to the Proof of any one particular Matter of Fact, or of any other Witness or Witnesses who shall appear to the Court to have been unnecessarily summoned.

And be it further Enacted, That where any Person shall be summoned to attend as a Witness, to testify at any County Court within this Province, who shall at the same Time reside in a different County than that where such Court shall be held, to which he or she shall be summoned to attend to give his or her Evidence, that it shall and may be lawful in such Case, for the Justices of the same Court, to allow to such Witness for so many Days itinerant Charges as the said Justices shall think reasonable, at the Rate of Twenty-four Pounds of Tobacco per Day, over and besides the Time that such Witness shall attend such Court to which he or she shall be summoned to give Evidence. Provided always, and be it further Enacted, That it shall and may be lawful for the several and respective Inhabitants and Suitors to pay and Discharge the said several

[Allowance
to Provin-
cial Grand
Juries.]

[Jurors
itinerant
Charges.]

p. 395

[Only 3
Evidences
allowed to
prove any
one Fact.]

[Itinerant
Charges al-
lowed to
Witnesses
living in
other
Countries.]

Liber H. S. and respective Quantities of Tobacco in Current Money, at the Rate
 No. 1 of Twelve Shillings and Six-pence per Centum, in the same Manner
 [May be paid at 12s.
 6d. per Hundred.] as they are enabled to pay and discharge the public and County Levy.

[Continuance.] This Act to continue for Three Years, and to the End of the next Session of Assembly which shall happen after the Expiration of the said Three years.

15th Octr 1760
 Read and assented to
 by the Lower house of
 assembly
 Signed p order
 MMacnemara Cl lo ho

On behalf of the Right
 Honble the Lord Propry
 of this province I will
 this be a Law
 Hor^o Sharpe

15th Octr 1760
 Read and assented to
 by the upper house of
 assembly
 Signed p order
 JRoss Cl Up Ho

The Great Seal
 in Wax app^t

p. 396 I do hereby Certify that Reverdy Gheselin Clerk of the Provincial Court and Secretary's Office of the Province of Maryland this Day personally Appeared before Me the Subscriber one of the Right Honble the Lord Prop^{ry} of the Province af^d his Council of State and made Oath on the Holy Evangel^s of Almighty God that he carefully examined all the Laws contained in this Book from folio 386 to folio 395 with the Original Acts that passed the Great Seal.

Sworn to this eighth Day of September Anno Dom. 1762 [sic]
 C: Hammond

 The Seal of the Provincial Court is hereto Affixed on behalf of Benjamin Tasker Junior Deputy Secretary of Maryland

p Reverdy Ghiselin Cl Sec^rys Office & Prov.^l Court

PROCEEDINGS
OF THE
GENERAL ASSEMBLY OF MARYLAND

At a Session Held at Annapolis, April 13—May 6, 1761.

*Being the Sixth Session of the Assembly Elected in
September, 1758*

FREDERICK CALVERT, LORD BALTIMORE,
Lord Proprietary.

HORATIO SHARPE,
Governor.

PROCEEDINGS
OF THE
UPPER HOUSE OF ASSEMBLY

At a Convention of Assembly begun & held at the City of An-
napolis on Monday the 13th Day of April in the Tenth Year of his
Lordships Dominion Anno Domini 1761

U. H. J.
Liber No. 35
1761
April 13
p. 459

Present

His Excellency Horatio Sharpe Esq^r Governor

The honourable { Benj^a Tasker Esq^r } Stephen Bordley Esq^r
Col Edward Lloyd } John Ridout Esq^r
Daniel Dulany Esq^r

Two Members from the Lower House Acquaint his Excellency
that there are sufficient Number of Members met to make a House
and wait his Excellencys Commands

Stephen Bordley and John Ridout Esq.^{rs} are Sent to the Lower
House to administer the Oaths to his present Majesty King George
the third, to the speaker and the Members present, and Ordered
that the Clerk of this House attend them, who administred the
several Oaths to the Government prescribed by Law, to the Speaker
and the several Members present, and they severally Subscribed the
Oath of Abjuration and Test

Col Lloyd and Daniel Dulany Esq.^r are sent to the Lower House
to acquaint the speaker that his Excellency requires his immediate
Attendance with the Lower House in the Upper House

The Lower House attend and his Excellency is pleased to make
the following Speech

Gentlemen of the Upper and Lower Houses of Assembly

Not doubting but you are affected with extreme Sorrow and
concern for the Death of our late most gracious Sovereign of happy
Memory, whose paternal care We and All Our fellow Subjects in
these Colonies have most Sensibly experienced, I Sincerely condole
with you on that melancholy Event, the fatal Consequences which
would be most severely felt throughout the extensive Dominion of
Great Britain, was not his Majesty happily Succeeded by One of
His illustrious Descendants, whose many eminent and princely
Virtue render him dear to All his Subjects and give them full Assur-
ance of the Continuance of the innumerable Blessings which They
have enjoyed during the Long, Mild, just & Glorious Reign of his

U. H. J.
Liber No. 35
April 13

Royal Grandfather, That His People may enjoy these Blessings in the fullest Extent, His Majesty wishes to See his Kingdoms in a State of Tranquility but being thoroughly perswaded that a Vigorous Prosecution of the just War in which the Nation is engaged is the Only effectual Measure to reduce the Enemy to the Necessity of accepting Peace on Terms of Glory and Advantage to his Crown and particularly of Beneficial to his Subjects in America whose Interest he has much at heart. His Majesty hath been pleased to give Orders that Such part of the Regular Forces in North America as may be adequate to some great and important Enterprize, be employed in Some Other Quarter against the Enemy during the Ensuing Campaign and that the Security of his Dominions on this Continent, particularly of the Countries which in the Course of this War have by the Blessings of the Almighty on the British Arms been reduced to the Obedience of Our Sovereign be the better provided for, His Majesty hath been pleased to Signify his Expectations, that his dutiful and Loyal Subjects in these Colonies will without delay raise and Support a Sufficient Number of Troops for that Service to be employed on this Continent during the Absence of Such Regulars in the Manner that the Commander in Chief of all his Forces in North America shall direct

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That you may be more fully apprized what Assistance his Majesty requires of you in particular and how he vouchsafes to invite you by Promises and Encouragements to do what your Duty to him and a Regard for your Own happiness and that of your Posterity must Strongly prompt you to performe I shall Lay before you a letter from the Right honble William Pitt Esq^r and another from his Excellency General Amherst hoping you will be thereby induced to pursue at this time such Measures as that they may Both have the satisfaction to report to our most gracious Sovereign how chearfully you Shall have complied with his Majestys Requisition. As I did not by Reason of the Leicester Packets being lost receive the secretary of States Letter so Early as he Expected I should receive it and the season is Already come when the troops for which I am Ordered to sollicit you Ought to have been ready to March, I must intreat you to loose no time but with the utmost Expedition to prepare a Bill that will effectually answer the purpose recommended to you. By such a proceeding you will I flatter myself incline his Majesty to entertain a favourable Opinion of the Inhabitants of this Province, You will give the Best Proof of Your Attachment to his Sacred Majesty & Government and of your earnest desire to be thought worthy of Blessings which all his good and loyal Subjects have abundant Reason to promise themselves under his Auspicious Reign

Sir

Whitehall 17 Dec^r 1760

His Majesty having nothing so much at heart as, by the most vigorous Prosecution of the War, to reduce the Enemy to the

Necessity of accepting Peace on Terms of Glory and Advantage to his Majestys Crown and beneficial in particular to his Subjects in America; And as Nothing can so effectually contribute to that great & essential Object, As the Kings being enabled to employ as immediately as may be such part of the Regular Forces in North America, as may be adequate to Some great & important Enterprize against the Enemy; I am commanded to Signify to you the Kings Pleasure that in order the better to provide for the full and entire security of his Majestys Dominions in North America and particularly of the Possession of his Majestys Conquests there, during the Absence of Such part of the Regular Forces, You do forthwith use your utmost Endeavours and Influence with the Council and Assembly of Your Province to induce them to raise, with all possible Dispatch, within Your Government as large a Body of Men as the Number and Situation of Its Inhabitants may allow in the due Performance of which, It is expected, and required that they will not again presume to fail in their Duty to the King, as they have hitherto done (and forming the same into Regiments as far as shall be found convenient that You direct them to hold themselves p. 461 in readiness, and particularly as much earlier than former Years, as may be, to march to Such Place, or Places in North America as his Majestys Commander in Chief there, or the Officer who shall be appointed to command the Kings Forces in those parts, shall Appoint in order to be employed there under the Supreme Command of his Majestys Said Commander in Chief or of the Officer to be appointed as above, in such manner as from the Circumstances and Situation of the Enemys Posts and the State and Disposition of the Indian Nations on that side, he may judge most conducive for the Kings service; And the better to facilitate this important service, the King is pleased to leave it to you to issue Commissions to Such Gentlemen in your Province as you shall judge, from their Weight, and Credit with the People and their Zeal for the Publick Service may be best disposed, and enabled, to quicken and effectuate the speedy Levying of the greatest Number of Men. In the Disposition of which Commissions, I am perswaded You will have nothing in View, But the good of the Kings Service, and a due Subordination of the whole to his Majestys Commander; And All officers of the Provincial Forces as high as Colonels inclusive are to have Rank according to their several respective Commissions agreeable to the Regulations contained in his late Majestys Warrant of the 30th December 1757 which is renewed by his present Majesty

The King is further pleased to furnish all the Men so raised as above with Arms Ammunition and Tents as well as to order Provisions to be issued to the same, by his Majestys Commissaries in the same Proportion and Manner, as is done to the rest of the Kings Forces. The whole therefore that the King expects and

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requires from the Several Provinces, is the Levyng Cloathing and Pay of the Men; And on these Heads also, that no Encouragement may be wanting to the fullest Exertion of Your Force, His Majesty is further most graciously pleased to permit me to acquaint You that Strong Recommendations will be made to Parliament in their Session next Year, to grant a proper Compensation for Such Expences as above, according as the Active Vigour and strenuous Efforts of the respective Provinces shall justly appear to merit

It is his Majestys pleasure, that you do, with particular diligence immediately collect and put into the best Condition all the Arms issued last Campaign, which can be any ways rendered serviceable, or that can be found within your Government, in order that the same may be again employd for his Majestys Service

I am further to inform you that semilar Orders are sent to this Conveyance to Pensilvania, Virginia North Carolina & South Carolina, The Northern Governments are also directed to raise men in the same manner, to be employd as his Majestys Commander in Chief Shall judge most conducive for the Kings Service in North America. It is unnecessary to add any thing to animate Your Zeal in the execution of his Majestys Order in this important Conjuncture, which is finally to fix the future safety & welfare of America, And the King doubts not from your known fidelity and Attachments that you will employ Yourself with the utmost Application and dispatch in this promising and decisive Crisis

p. 462 I am with Great Truth & Regard

S^r Your most Obedient humble Servant

William Pitt

New York 15th March 1761

S^r

On the first of January last I signified to you that by the Dispatches I had received the preceeding Day from his Majesty's Principal Secretary of State it was the Kings firm Resolution Steadily to Support His Allies, and to prosecute the War with the utmost Vigor, and that in consequence of his Resolution I made no doubt but you Should soon receive His Majestys Requisition for such a Number of Men from your Province as Should be thought requisite to Answer the proposed End of procuring a good and Lasting Peace

This Requisition was in fact, dispatched from the Secretary of States office on the 17th of December last and I conclude Sent on Board the Leicester Packett, which Sailed from Falmouth on the 29th of Said Month but being unfortunately taken in her passage, the Triplicates of those Dispatches are but this moment Arrived in his Majestys Sloop Tamer & M^r President Colden to whom they have been delivered is to forward them without delay

It remains therefore with me after this unexpected and unlucky Detainer, most Earnestly to Entreat You to make up for this Loss time immediately upon Receipt thereof Convening your Assembly, and Laying before them the aforesaid Letter of the Secretary of State, and that you will forthwith Use your utmost Endeavors and Influence with the Council and Assembly to induce them to Raise with all possible dispatch within your Government as large a body of Men as the Number and Situation of its Inhabitants may allow.

The Kings reasons for His Majestys Requisition of this further Aid from his faithfull American Subjects are too Obvious and too clearly pointed out by the aforesaid Circular Letter of his Secretary of State to need any Additional Enforcement and yet I can not refrain from repeating a Recommendation which ought and I doubt not will with it all the Weight and Impression which from its prudence and Sagacity it has a just right to expect. Since it proceeds from that Spirited View of Reducing the Enemy to the Necessity Accepting a Peace on Terms of Glory and Advantage to his Majestys Crown and Beneficial in particular to his Subjects in America, to which great and Essential Object nothing can certainly so Effectually Contribute as the Kings being enabled to employ as immeadiately as may be such part of the Regular Forces in North America as may be Adequate to some great and Important Enterprize against p. 463 the Enemy.

And as such are the Kings Resolutions and that his Majesty the better to provide for the full and Entire Security of his Dominions in North America, and particularly of the possession of his Conquest there during the Absence of such part of the Regular Forces to be employed on the aforesaid Enterprize, has desired that the several Provinces and Colonies of this Continent Should forthwith raise as large a Body of Men as the Number and Situation of their Inhabitants may allow, I firmly Rely and trust that your Province will upon this Occasion Exert it self to its utmost, and that I shall have the Satisfaction to Report to his Majesty how chearfully it has Acquieseed with his Recommendation.

Nothing therefore now Remains for me to Add, than that you will Observe, by the aforesaid Circular Letter of the Secretary of State that as a further Encouragement to Such Exertion of the Provinces his Majesty has ordered as heretofore, that the Provincial Forces Should be Victualled in the Same manner and in the same Proportion as the Regulars and that they Should be Supplied with Arms and Tents at the Expence of the Crown Moreover that Strong Recommendations will be made to Parliament in their session next year to grant a Compensation to the Provinces for the Expences they may be at on this Occasion according as their respective Vigor and Strenuous Efforts shall justly appear to merit, I must therefore as

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this Aid of Troops will be immediately wanted most seriously Recommend it to you to Obtain them from the Assembly without Loss of time and to hold them in readiness to march wheresoever I may have Occasion for them upon the first notice you shall receive from me for that purpose

I have it also in Command from His Majesty to Enjoin you to Collect and Cause to be put in proper Condition all the Servicable Arms that can be found within Your Province for every one of which that shall be Brought to the Field and shall not return by reason of being Spoiled or lost in Achael Service, I shall pay the Usual Allowance of Twenty five Shillings p Firelock

As it is very Essential to the services I have in Command from the King, that I should be as Early as possible, Informed of the Resolves of Your Assembly on this head and of the time that the troops will be ready I Beg that so Soon as you are Acquainted there with you will Signify the Same to me by Express that I may Regulate Myself Accordingly

I am with great Regard Your Most
Obedient Humble Servant
Jeff Amherst

Mess^{rs} Goldsborough and Tilghman from the Lower House acquaint his Excellency Their House hath made Choice of M^r John Allen Thomas for their Clerk and hope for his Excellencys Approbation to whom his Excellency is pleased to declare that he Approves of their Choice

Mess^{rs} Murdock & Hanson from the Lower House attend with M^r John Allen Thomas Clerk of the said House, in order to see him Qualified, who takes the several Oaths to the Government prescribed by Law, repeats and subscribe the Abjuration and Test and Also takes the Usual Oath of Office and then withdraws

Adjourned till to Morrow Morning ten of the Clock.

May 14

Tuesday Morning 14th May 1761

This House met again according to Adjournment

Present as Yesterday

Mess^{rs} Goldsborough and Gassaway attend with Mess^{rs} Greenfield Bowman, Gibson, Baker Mauldin and Travers to see them Qualified who take the several Oaths to the Government prescribed by Law, repeat Subscribe the Abjuration and Test and then withdrew

A Message from the Lower House by Mess^{rs} Worthington & Hanson

By the Lower House of Assembly 14th April 1761

May it please your Honours

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May 14

This House hath appointed M^r Dulany M^r Worthington, M^r Hanson M^r Stoddart M^r Bell & M^r Ringold a Committee from this house to inspect the Account^s and Proceedings of the Commissioners or Trustees for emitting Bills of Credit established by Act of Assembly and desire Your Honours to appoint One or more of the Members of Your House to join in the said Committee

Signed p Order John Allen Thomas Clk. Lo. Ho

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present in the Morning & M^r Calvert

The following Message is Sent By Bend^t Calvert Esq^r

By the Upper House of Assembly 14th April 1761

Gentlemen

This house hath appointed the honble Benedict Calvert Esq^r to join the Members named by your house in a Committee to inspect the Accounts & proceedings of the Commissioners of the Paper Currency Office

Signed p Order John Ross Clk. Up. Ho.

Adjourned till to Morrow Morning ten of the Clock

Wednesday Morning 15th April 1761

April 15

This house met again according to Adjournment

Present as Yesterday & Col Hammond

Mess^{rs} Tilghman and King attend with M^r Hopper, John Scarburgh and George Fraser to see them qualified, who take the several Oaths to the Government required by Law repeats and subscribes the Abjuration and Test and then withdrew

Mess^{rs} Hanson & Stoddert attend with M^r Smalwood a Member elected for Charles County to see him Qualified who takes the several Oaths to the Government required by Law repeats and Subscribe the Abjuration and Then withdrew

Read the Petition of W^m & Mary Clajon referred to the Lower House and Sent by Daniel Dulany Esq^r

Adjourned till 3 of the Clock in the afternoon

Eodem Die post Meridiem

This house met again according to adjournment

U. H. J.
Liber No. 35
April 15

Present as in the Morning

Mess^rs Ringold & Hanson attend with M^r Tilden to See him Qualified who takes the Several Oaths to the Government required by Law repeats and subscribes the Abjuration and Test and then withdrew

His Excellency is pleased to communicate to this House the following Message

Gentlemen of the Upper House of Assembly

As I think it would become us in an Address of Condolence to His Majesty to express our Sense of the great Loss which we and all his Subjects have Sustained by the Death of our late most gracious and excellent Sovereign and at the same time to congratulate His Majesty on his happy Accession to the Throne of his Ancestors. I take the Liberty to intimate as much to you, and if you approve of the proposal, I shall be glad to join with you, and the Gentlemen of the Lower House in Such Address

The 15th of April 1761

Horatio Sharpe

The Honble Benjamin Tasker Esq^r Attended by the Members of this House presents to his Excellency the following Address

To his Excellency Horatio Sharpe Esq^r Governor & Commander in Chief in and over the Province of Maryland

The Humble Address of the Upper House of Assembly
May it please your Excellency

Sensible of the great loss that we and all our Fellow Subjects have suffered by the death of our late most Gracious and Excellent Sovereign whose paternal Care and protection the Inhabitants of these Colonies have in a peculiar manner experienced we most Sincerely lament with your Excellency that Melancholy Event

Our grief on this Occasion could only be alleviated by the Consideration of the eminent Virtues inherited from him with the Crown by his illustrious Successor which encourage His Subjects on the best grounds to entertain the utmost Confidence that under his Auspices the will in the fullest Extent enjoy the innumerable and invaluable Blessings which they have experienced during the long mild just and glorious Reign of his Royal Grandfather Happy in this prospect, we join in the general joy, which hath been diffused throughout the extensive Dominion of Great Britain and as we earnestly desire to testify our duty and attachment to His Majesty's Sacred Person and Government, both by our words & Actions we return your Excellency our thanks for giving us this Opportunity of doing both, and for the Speech which your were pleased to make at the Opening of this Session

We also beg leave to assure your Excellency, that having in Remembrance what great Efforts have been made by the Mother

Country to rescue the Colonies from the dangers to which they were not long Since exposed, we shall for our parts embrace every Opportunity of making the Best return in our power convinced that a Vigorous prosecution of the War is the only effectual measure to reduce the Enemy to the Necessity of Accepting Peace on Terms of Glory to his Majesty's Crown advantages to great Britain and particularly beneficial to his Majesty's Subjects in America, We should be extremely wanting to ourselves and our posterity as well as in duty and gratitude to our most Gracious Sovereign, were we not most readily to comply with His requisition Signified by the Letters which Your Excellency hath been pleased to lay before us.

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Liber No. 35
April 15

We beg leave therefore to Assure you that Zealous as we have been on every Occasion to promote the Service of Our Sovereign we Shall most chearfully give our Concurrence to any equitable Bill for the purposes recommended by Your Excellency, which may be at this time offered Us, and Shall rejoice if the Issue of this Session be such as to induce His Majesty to entertain a favourable Opinion of this Province and to believe that the Inhabitants of Maryland are not unworthy of the Happiness which all his good and Loyal Subjects have the greatest reason to promise themselves under his Auspicious Reign

April 15th 1761

B: Tasker President

A Message by Mess^{rs} Tilghman and Dulany

By the Lower House of Assembly

May it please your Honours

As the Governor has been pleased to intimate to Us his desire to join both houses in an Address of Condolence to his Majesty, to express the Sense We all have of the great loss which He and his Subjects have sustained by the Death of Our late most gracious and excellent Sovereign and at the Same time to congratulate his Majesty on his happy Accession to the Throne of his Ancestors. And as We cannot doubt of Your ready Concurrence therein We have named M^r Edward Tilghman, M^r Matthew Tilghman M^r Murdock D^r Steuart, M^r Dulany and M^r Hammond to join Such Members as Your Honours Shall appoint to form Such Address in Order that It may be presented to his Excellency for his Approbation

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15th April 1761 Signed p Order John Allen Clk. Lo. Ho

The following is Sent by John Ridout Esq^r

By the Upper House of Assembly 15th April 1761

Gentlemen

In Answer to Your Message of this Day by Mess^{rs} Tilghman & Dulany This house hath appointed the honble Daniel Dulany &

U. H. J. Stephen Bordley Esq^{rs} to join the Members named by Your House
 Liber No. 35 to draw up an Address to his Majesty
 April 15

Signed p Order John Ross Clk. Up. Ho

Adjourned till to Morrow Morning ten of the Clock

April 16

Thursday Morning 16th April 1761

This House met again according to Adjournment

Present as Yesterday except Col Loyd

Mess^{rs} Scarburgh and Harris attend with Mess^{rs} Selby and Purnell to See them Qualified, who take the Oaths to the Government required by Law repeat and subscribe the Abjuration and Test and then withdraw

Read the Petition of Henry Watts a private Soldier in the Maryland Service under Col John Dogworthy praying a Relief, Referred & Sent by Jn^o Ridout Esq

His Excellency is pleased to communicate his Answer to the Address of this House in the following Words

Gentlemen of the Upper House of Assembly

Your kind Address having given me much Satisfaction I return you my sincere Thanks for it, and beg you will believe that I have not the least doubt but you will chearfully emprace this and every Opportunity that may be afforded you of Manifesting your Zeal and Duty to our most gracious Sovereign & of recommending this Province to his Majestys Favour

16th April 1761

Horatio Sharpe

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Mess^{rs} Murdock & Steuart attend with M^r Carrol to see him qualified who takes the Oaths to the Government required by Law repeats and Subscribes the Abjuration and Test and then withdraws

Adjourned till to morrow Morning ten of the Clock

April 17

Friday Morning 17 April 1761

p. 468 This house met again according to Adjournment

Present as Yesterday

Adjourned till 3 of the Clock in Afternoon

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April 17

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till to Morrow Morning ten of the Clock

Saturday Morning 18th April 1761

April 18

This house met again according to Adjournment

Present as Yesterday

Mess^{rs} Steuart & Edmonson attend with Mess^{rs} Gale and Wilson to See them qualified who takes the Oaths to the Government required by Law repeats and Subscribe the Abjuration and Test and then withdraw

Adjourned till Monday Morning ten of the Clock

Monday Morning 20th April 1761

April 20

This house met again according to Adjournment

Present as on Saturday

Mess^{rs} King and Deye attend with M^r John Hammond Dorsey to See him qualified, who takes the Oaths to the Government required by Law repeats and subscribes the Abjuration and Test and then withdraws

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again According to Adjournment

Present as in the Morning & Bend^t Calvert Esq^r

Read the Petition of James Hollyday legal Representative of Ja^s Hollyday Esq^r deceased late Treasurer of the Eastern Shoar praying Leave to Bring in a Bill to enable him to draw on M^r William Hunt for a Bill protested by the said Hunt drawn payable to M^r Hall Caill for the Use of Dorchester County School, referred and sent by Stephen Bordley Esq^r

Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning 21th April 1761

April 21

This house met again according to Adjournment

U. H. J.
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April 21

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Present as Yesterday

Read the Petition of Several of the Inhabitants of Chester Town in Kent County praying a Bill may be brought in enabling them to hold a Market in the said Town The Petition of the Inhabitants of Dorchester County residing near Nanticoke River praying a Bill may be Brought in for building an Inspection house at the Town of Vienna. The petition of the Rector Vestrymen and Churchwardens of St Stephens Parish in Cecil County praying a Bill may be brought in to Confirm and make good the proceedings of the Said Vestry The Petition of the Inspectors at Elk Ridge Landing in Ann Arundel County praying an Increase of the Salary may be made to the former and present Inspectors. Referred to the Lower house and Sent by John Ridout Esq^r

Read the Petition of Henry Hall James Disney and Robert Boyd praying a Bill may be brought in to repeal the Act passed in 1735 to make the River Patuxent navigable Ordered that the Petitioners give Mr Richard Snowden Notice of this Application

Read the Petition of the Rev.^d Mr Charles Lake Rector of St James Parish, and John Barclay Rector of Alhallows Parish in Ann Arundel County praying a Division may be made by Law of their Said Parishes Rejected

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till Morrow Morning ten of the Clock

April 22

Wednesday Morning 22^d April 1761

This house met again according to Adjournment

Present as Yesterday except Col Hammond

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Adjourned till Morrow Morning ten of the Clock

April 23

Thursday Morning 23^d April 1761

This house met again according to Adjournment

Present as Yesterday

U. H. J.
Liber No. 35
April 23The honble Daniel Dulany Esq^r brings in the following Report
To the honble the Upper house of Assembly

We having been appointed by Your Honours to join the Members nominated by the Lower house in a Committee for framing an Address of Condolence and Congratulation to the Kings most excellent Majesty in pursuance of the Governors Recommendation, do report that we met the Members of the Lower House and proposed to join with them in the Address hereunto to annexed and that after they had this Address under their Consideration from last Friday they thought proper this Morning to offer, by the Order of their Houses as they informed us, as an Addition thereto, the following Clause Viz. But may it please your Majesty to indulge Us, p. 470
destitute as we are of the proper means of Obtaining Access to the Throne, while We make Use of this Opportunity of humbly expressing Our Concern, that this Province has during the present just and necessary War contributed so little to the Service of our late most Gracious Sovereign, and our Confidence that until a full Enquiry be made into the Causes thereof which we most earnestly desire, and the People shall be permitted to raise a Support for an Agent, who may lay all the Grievances which they suffer under the Government of their Lord Proprietary properly before your Majesty, You will be graciously pleased to continue that favourable Opinion, which We hope you have hitherto entertained of the Protestant Inhabitants of the Province of Maryland; than whom permitt Us, Royal S.^r to Say, your Majesty has not in all your Dominions Subjects more Loyal more hearty Welwishers to our present happy Establishment, or more firmly or affectionately attached to your most sacred Person and Government. To which Addition, for Reasons too Obvious to be mentioned, We could not agree but Submit the Same to the Consideration of this House.

Dan. Dulany

S: Bordley

Thursday 23 April 1761

Draft of an Address to his Majesty
To the Kings most Excellent Majesty

The humble Address of the Lieutenant Governor and the Upper & Lower Houses of Assembly

May it please your Majesty

Deeply affected with the Severe Loss We in Common with our Fellow Subjects have sustained by the Death of our late most Excellent King of Happy Memory whose Paternal Care the Inhabitants of these Colonies have (in the Amplest manner) experienced in the Course of his long mild, just, and Glorious Reign, favourably permit Us most Gracious Sovereign, to condole with

U. H. J. your Majesty that melancholy Event, But, We should not approve
 Liber No. 35 Ourselves in any Respect worthy of the Indulg^mt Protection of
 April 23 Providence, did We not derive & most thankfully acknowledge the
 Strongest Consolation from a Contemplation on the Eminent and
 Royal Virtues which constitute and embellish the Character of a
 good King, and give the best Assurance of a Continuance under
 your Majestys Reign of the Invaluable Blessings We have so long
 enjoyed during that of your Illustrious Grandfather with this
 Assurance We join in the general Joy which hath been diffused
 through all the Extensive Dominions of Great Britain and with
 the greatest Humility and purest Sincerity of Heart & Beg leave
 to congratulate your Majesty upon your Accession to the Throne
 of your Ancestors

May Your Majesty be rendered happy by the Prosperity of a frē
 p. 47¹ People flourishing under the benign Influence of your Auspicious
 Government by a grateful and adequate Retribution of their Zealous
 affection, and firm attachment to your Sacred Person, and by Every
 Solace of Human Nature and We most fervently pray that your
 Majestys Reign may be distinguished as well by its Lenght as its
 Felicity

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment
 Present as in the Morning & Sam.¹ Chamberlain Esq^r
 Adjourned till to Morrow Morning ten of the Clock

April 24

Friday Morning 24th April 1761

This house met again according to Adjournment

Present as Yesterday

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

The honble Benedict Calvert Esq^r brings in the following Report
 Maryland ss

At a Committee of both Houses of Assembly appointed to inspect
 the Office and Proceedings of the Com^{rs} for emitting Bills of Credit
 established by Act of Assembly

23 April 1761

Were Present

The honble Benedict Calvert Esq^r of the Upper HouseU. H. J.
Liber No. 35
April 24

M ^r Walter Dulany	M ^r Josias Bealle	of the
M ^r Brice T B Worthington	M ^r Jn ^{:o} Truman Stoddert	Lower
M ^r John Hanson	M ^r Thomas Ringgold	House

Who make choice of and appoint the honble Benedict Calvert Esq^r Chairman and Robert Couden Clerk and agree to make the following Report

Your Committee having Carefully examined and inspected the Accounts relative to the Fund in England Established by Act of Assembly for Sinking the Bills of Credit of this Province, do find that the Trustees in England have transmitted their Account to the Commissioners of the Loan office dated London the 13th of March 1760 acknowledging £27500 Capital Stock in the Bank of England in their Names belonging to this Province which by the Said Account Cost £36,245 Sterling Cash Your Committee likewise further find by the same Account a Ballance due of £484..11..11 Sterling in the Bank not converted into Capitol Stock; Your Committee also take leave to Set forth a Paragraph of the Said Trustees Letter dated London March 15:th 1760 accompanying Said Account in the following Words, All the Bills of Exchange that are come to our hands are paid except two remitted to Us from M^r Richard Lee one for £226..14.. the other £150 dated 22^d September 1759 drawn by Dan. Campbell payable at 90 Day Sight to the Order of Daniel S^t Thomas Jenifer, Value received of him in Tobacco on John Stewart and C^{:o} which two Bills does not become payable until the sixteenth next Month, and indorsed by said Lee to William Hunt or order for the Use of the Province of Maryland, We think it our Obligation to give you this Information, that you may judge whether or no it is Consistent with your Law made for issuing and paying Your paper Currency If the Collectors send us such Bills for that Account We know not how we can avoid them when they come into our hands, and if it is to be remedied it must be done by your Government only

Your Committee also further find the following Bills appearing by the Naval officers Accounts to have been remitted by them to the Trustees in London for which the said Trustees have given no Credit Viz

By Phillip Lee then Naval officer of North Photo- mach District	John Boyds Exchange 1739 John Domatts en- dorsed by Robert Yeates	£13..17.. 1 53..11.. 8
--	---	---------------------------

1740 James Montier on Rob^t Brown..... 25..14.. 0

1741 Randolph Johnson on Jn^{:o} Buchanan..... 4.. 0.. 6

U. H. J.	and by Tho: s Lee Ex: r in 1747 Tho: s Hungerford on	7.. 0.. 0
Liber No. 35 April 24	John Buchanan	
	and by Said Ex: r Account then dated a Ballance then due to the Province of	0..16.. 1 $\frac{1}{4}$
<hr/>		
		£104..19.. 4 $\frac{1}{4}$

By the Deputy Naval Officer of Oxford in 1744/	40.. 8.. 0		
Barker on Ashburner.....			
Foster on	D ^o	53..11.. 7	
Aukenleak on Catonack.....		37..12.. 4	
and in 1745 he charged			
a bill W ^m Pemberton	78..19..8	Difference to the Prejudice of the Province	
on Richard Gildert			
for			
and the Trustees give	79..19..8	1.. 0.. 0	
Credit for Said Bill			
only			
<hr/>			
		£132..11..11	

But your Committee find the Trustees Credit to the Province in 1747 for Sam^l Chamberlains Bill on W^m Anderson for

which Said Bill we dont find Charged in any of the Naval Officers Accounts and therefore thing it probable the Above Bills were Protested and the same Sum has been by him since remitted for reimbursement of the said Bills

Also by the Deputy Naval	1756 Sam. ^l Chamberlaine Bills but dont Say on whom transmitted to the Trustees for which there is no Credit by them for	31.. 7.. 6
Officer of Pocomoke ..		
But they Credit the Province next year his bills on W ^m Anderson not charged in his Naval Officers Account for		27.. 0.. 0

Also the Naval Officer of Patuxent District in his Account 1755 Charges the Province as follows

To John Night Exch on on Johnson & Comp^y..... 53.. 6.. 3
and Edward Bames on Spencer for..... 34..12.. 5

£87..18.. 8

Credit the Province by 15 ^r p hhd on 995 hh ^d of	} £62.. 3.. 9	U. H. J.
Tobacco		Liber No. 35 April 24 p. 473
and Charge the ballance to next Account.....	25..14..11	
	£87..18.. 8	

which ballance of £25..14..11 he transfers to the Debit of his next Years Accounts against the Province but it does not appear that the Above two Bills amounting to £87..18..8 were ever Credited by the Trustees, yet by their Account of the next Year they Credited the Province by John Hanbury on Said Naval Officers Account £62..3..9, from which we apprehend the said Bills were not paid and the said Naval Officer has ordered M^r Hanbury to pay the Nett Sum due only on the Tobacco by the proceeding Account exported by which the said Sum of £25..14..11 carred to Next account against the Province shou'd have been again Credited and not being so is Still due to the Province £25..14..11 And for Ballance of his Account 1756 he charges his Order on William Perkins in favour Mess^{rs} Hunt & Hanbury remitted £319..18..4, And for the Balance of his Account 1757 his Exchange on M^r William Perkins to be remitted to the Trustees by the first Ship £286..1..3 But your Committee dont find that the Trustees have Credited the Province with the said sums of £319..18..4 & £286..1..3 By which your Committee is induced to believe the said Order and Bills were not paid and that therefore the Ballance due from said Officer to the Year 1757 is £631..14..6 as appears by the Above Account and Your Committee takes leave further to report to the honble House that they cannot find that the said Naval Officer has rendered any Accounts for the 15^d p hhd for the Year 1758, 1759, 1760 or that the Trustees have Credited the Province with any moneys or Bills remitted by the Said Officer for the Said last three Years, which Your Committee think a great Breach of Duty in that Officer and a great Injury to the Province

Your Committee cannot find that the Naval Officer of Pocomoke District has rendered any Account for the 15^d p hhd for the Year 1755 But that the Naval Officer of the said district has rendered Accounts for the Years following to Wit,

For the Year	1756	Amounting to.....	£22.. 8..9
For the Year	1757 to.....	31.. 5..0
For the Year	1758 to.....	17..15..0
For the Year	1759 to.....	50..17..6
and For the Year	1760 to.....	8.. 0..0
			£130.. 6..3

U. H. J. Amounting in the whole to one hundred and thirty Pounds Six
 Liber No. 35 Shillings and three pence as appears by the Above Accounts, but
 April 24 we dont find any payments made by the Said Naval Officer in
 discharge of the above Sum So that the Same is Still due from
 him, And Your Committee think it their duty to Observe that the
 Naval Officer Af'd did not render the Above Accounts till the 21st
 Instant which we humbly conceive is a neglect of Duty the Naval
 Officers being by Law directed to render the Accounts Yearly

p. 474 Your Committee also find by the Said Trustees Accounts that they
 did not buy in or convert any of the Monies remitted by the Naval
 Officers or received as Dividends on the Interest from the Capitol
 in the Bank from September 1755 till 1759 and February 1760
 and untill the Sum to be converted from the last Purchase Amounted
 to £6,000 Sterling or upwards and for their justification they write
 to the Commissioners the 10th of March 1757, as follows You may
 wonder as the Sum lying dead that we have not invested it or some
 or some part thereof as We have from time to time heretofore done
 but as the times lately and Still are so precarious We thought it better
 to defer it as we have done notwithstanding the Loss of the Interest,
 the Price of Stock is at 119 p Cent and doubt will Shortly be Lower,
 We Shall Act to the best of our Judgment for the Countrys Interest
 at all Times "and by their Letter dated London 13th March 1759
 they say as the Same Reason Continues as was given in our last, there
 has not been any Cash disposed of in the Purchase of any more Bank
 Stock the Value of its price still lowring and no reason can be As-
 signed, it should be better untill a good Peace be attained the Price at
 present is but 116 p Cent. Your Committee Apprehend the Trustees
 keeping the Countrys Money dead in the Bank so long a Time without
 purchasing Capitol Stock have not complied with the directions
 of the Act of Assembly to which we beg leave to refer, tho by their
 Account rendered it appears they purchased Capitol Stock at a much
 Lower Rate than they could have before done to wit from £112..10..0
 to £111 p Cent yet we conceive that saving is not equal to the Sum
 which woud have arisen to the Credit of this Province by the Divi-
 dend and accruing Interest thereon if the Moneys had been Yearly
 converted into Capitol Stock as appears by an Account here under
 Stated

D:^r

Profit and Loss to the Province of Maryland by }
 delay of Purchase of Capitol Bank Stock..... }

C^r

To Loss of the Dividend of £1000
 Capitol for 3½ Years from April
 1756 to Oct^r 1759 which would
 have then Cost a 122 p C.^t there
 being then enough in the Trustees
 hands to have purchased so much
 Stock

£157..10.. 0 £1220

To ditto of ditto on £2000 for 2½ Years from April 1757 to Octo ^r 1759 which would have Cost £119 p C. ^t £2380 then ditto.....	225.. 0.. 0	£2380	U. H. J. Liber No. 35 April 24
To ditto of ditto on £2000 for 1½ Years from April 1758 to Octo ^r 1759 which would have Cost then a 117 p Cent £2340.....	135.. 0.. 0	£2340	
<hr/>			
	£517..10.. 0	£5940	
<hr/>			
C ^r By Stock Bought September 1759 £2000: at £112..10 Cost.....	£2250.. 0.. 0		p. 475
By ditto Feb ^r 1760 £3000 111 p Cent.	3330.. 0.. 0		
Saved by Stock.....	360.. 0.. 0	£360.. 0.. 0	
Loss by Interest £556..5 difference to the disadvantage of the Province besides accruing Interest on the Dividends had they been turned into Capitol		157..10.. 0	
<hr/>			
	£5940.. 0.. 0	£517..10.. 0	
<hr/>			

And Your Committee likewise find that the Naval Officers for the Port of Oxford and Annapolis have rendered their Accounts to September 1760 Amounting to £505..11..3, which we presume the Province will have Cred.^t for by the Trustees in their next account, The Account for Potomack District for the Year 1760 does not appear to have been yet rendered, and Your Committee take leave further to Report that after the most Diligent Search in the Assembly office they cannot find the Naval Officers Original Account for Patuxent District for the Year 1754 nor is it entered by the Clerk of the Lower House but a Blank Leaf is left in the Book wherein the Other Accounts are entered and where that should have been entered from the Loss of which Account they cannot Say whether all the Bills due for dutys that Year in that District were remitted or not but the Trustees have Credited the Province for Bills remitted that Year by the Naval Officer of that District to the Amount of £362..10..7 Sterling not charged in any other Account by said Officer, and which sum is a Medium between the sums that Duty raised in that District the proceeding and Subsequent Years from which we are inclined to believe Justice is done to the Province but are of Opinion that it would be proper to procure a Duplicate of that Account to have it entered in the Record Book whereby it

U. H. J. may appear whether there was a full remittance or not Your
 Liber No. 35 Committee further Report that many of the Original Accounts of the
 April 24 Naval Officers are not to be found by Us in the Assembly office,
 that are entered, and that none of the Naval Officers Accounts are
 recorded or entered by the Clerk of the Lower House since the Year
 1757 tho many of their Accounts appear to have been returned
 since that time and as there does in some Instances Appear a Negli-
 gence in the Said Clerk in not entering some Accounts which have
 been rendered by the said Naval Officers, we cannot say whether
 the Naval Officers whose Accounts do not appear have been remiss
 in their Duty or whether such Accounts be lost or mislaid by the
 Said Clerk

Your Committee take leave further to report that We have received
 from Your Committee of Accounts the following Account as delivered
 in by Benjamin Young Esq^r Naval Officer of the District of Poco-
 p. 476 moke with the Province of Maryland as under Stated, Whereby he
 has given the Province Credit for the Interest that has arisen due
 on the Several Sums of Money above set forth as unpaid for that
 district from the times they should have been paid and that the
 Commissioners of the Loan Office have Certified under their Hands
 that the Bills of Exchange for the Sum of £147..1..3½ Sterling as
 mentioned in the Said understated Account are lodged in the Loan
 Office, to be by them remitted to the Trustees in London to the
 Credit of the Said Province by the first Opportunity, by which we
 apprehend the Province will be fully indemnified

D^o The Province of Maryland in Account with Benjamin Young
 Naval officer of Pocomoke

1761 April 23, To Walter Dulany }	
Exchange on Mess ^{rs} Hanburys	
lodged with the Commissioners	
of the Loan Office to be by them	£147.. 1.. 3½
remitted to the Trustees in Lon-	
don	
By Ballance of the Acc ^t of 1/3 p hhd on all	
Tobacco exported from Pocomoke between Sep ^r	
29. th 1755 & Sep ^r 29 th 1756 as p Acc ^t	£22.. 8.. 9
By Interest on ditto to April 23 ^d 1761 is 4 Yrs 6	
Months a 5 p Cent	5.. 0.. 11½
By Ballance of Acc ^t from 1756 to 1757 as p Ac-	
count	31.. 5.. 0
By Interest on ditto to April 23. ^d 1761, 3 years &	
6 Months	5.. 9.. 4½
By Ballance of Acc ^t from 1757 to 1758 a p Ac-	
count	17.. 15.. 0

By Interest on ditto to April 23, 1761, 2 Years & }	2.. 4.. 4½	U. H. J. Liber No. 35 April 24
6 Months		
By Ballance of Acc ^t from 1758 to 1759 as p Ac- }	50..17.. 6	
count		
By Ballance of Acct from 1759 to 1760 as p Ac- }	8.. 0.. 0	
count		
By Interest on ditto to April 23, 1761, 1 Year & }	3..16.. 3½	
6 Months		
By Interest on ditto to April 23, 1761, 6 Months..	0.. 4.. 0	
		£147.. 1.. 3½

All of which is humbly Submitted to the Consideration of Both Houses of Assembly

Bened ^t Calvert,	Walter Dulany
Brice T B Worthington	
John: Hanson jun ^r ,	Jos ^s Beall jun ^r
John Truman Stoddert,	

Saturday Morning 25th April 1761

April 25
p. 477

This house met again according to Adjournment

Present as Yesterday

Adjourned till Monday Morning ten of the Clock

Monday Morning 27 April 1761

April 27

This house met again according to Adjournment

Present

The honble	Benj ^a Tasker Esq ^r	Dan ^l Dulany Esq ^r
	Sam ^l Chamberlain Esq ^r	Stephen Bordley Esq ^r
	Bened ^t Calvert Esq ^r	John: Ridout Esq ^r

Read the Petition of Evan Shelby on Behalf of himself and others Voluntiers at Fort Duquesne praying an Allowance may be made them for their Trouble and Fatigue, and the Petition of Elisha Perkins John Wolgamot and William Clamons Voluntiers with the said Shelby praying likewise an allowance, Referred & Sent by Sam^l Chamberlain Esq^r

A Bill from the Lower House by Mess^{rs} Owings Ent.^d An Act for granting a Supply of 40,000£ for his Majestys Service and for defraying the Expences heretofore incurred for the Defence and Security of the Frontier Inhabitants of this Province and for the

U. H. J. purposes therein mentioned and for raising the Same by an equal
 Liber No. 35 Assessment on all Estates real and personal & Lucrative Offices and
 April 27 Employments thus, Endorsed

By the Lower House of Assembly 24th April 1761

Read the first time and ordered to lye on the Table

Signed p Order John: Allen Thomas Clk. Lo: Ho.

By the Lower house of Assembly 25th April 1761

Read the second time and will pass

Signed p Order John Thomas Clk. Lo. Ho.

Read the first time in this house and will not pass and Sent by
 Stephen Bordley Esq^r

Adjourned till to Morrow Morning ten of the Clock

April 28

Tuesday Morning 28th April 1761

This house met again according to Adjournment

Present as Yesterday & Col Hammond

The honble Benjamin Tasker Esq^r Attended by the Members of
 this house present to his Excellency the following Address

To his Excellency Horatio Sharpe Esq^r Governor & Commander
 in Chief in and Over the Province of Maryland

The humble Address of the Upper House of Assembly
 May it please Your Excellency

A Report which hath been made to Us by a Committee of Both
 p. 478 houses appointed this session to inspect the Office and Proceedings
 of the Commissioners for emitting Bills of Credit having given
 Us Room to apprehend that some of the Naval Officers whose
 Business It was to collect the Duty of 15^d hhd pursuant to the paper
 Currency Act and remit the same to the Trustees in London for
 the Purchase of Bank Stock on Account of this Province have been
 negligent in the Discharge of their Duty and that in particular One
 of them has failed to remit to the said Trustees Sundry Sums of
 Money which we imagine he must have collected by Virtue of the
 Abovementioned Act and that Large Arrears are due from him to
 the Province, We think it incumbent on Us to represent the same to
 your Excellency that such Steps may be taken for procuring Satis-
 faction to the Publick as Your Excellency may think the Nature of
 the Case may require

Benjamin Tasker President

Daniel Dulany & John Ridout Esq^r wait upon his Excellency &
 present to him the following Address with the Report of a Com-
 mittee of this house appointed to draw up an Address to his Majesty

To his Excellency Horatio Sharpe Esq^r Governor & Commander
in Chief in and over the Province of Maryland

U. H. J.
Liber No. 35
April 28

The humble Address of the Upper House of Assembly

May it please your Excellency

In Compliance with Your Excellencys Proposition a Committee composed of Some Members of Both Houses hath been appointed in Order to frame an Address of Condolence and Congratulation to the Kings Most Excellent Majesty

The Report which attends this Address of our Members who were upon the Committee, will Sufficiently inform you what passed upon it

We have concurred with this Report and determined not to agree to the addition proposed by Order of the Lower House, not only because the Matters contained therein appear to Us, to be extremely improper and foreign to the subject of the Address, but because they were apparently intended to cast an injurious Blemish upon his Lordships Government, and Shift from the real Authors of it, the Disgrace which has been brought upon this Province by the Singular Disregard Shewn to the Requisitions of Aid frequently urged in the most pathetick manner by the Kings Ministers, and the Strongest terms recommended by your Excellency

We shall not in Order to evince where the Reproach of Misbehaviour ought to be fixed trouble your Excellency with a Detail of what has passed between the two houses on the Subject of the Assessment Bill so often presented to and rejected by us refer you to the Opinion of his Majestys Atterney General given on a Consideration of the Messages betwen the two Houses, not recapitulate the very extraordinary Measures pursued by the Lower House to weaken the hands of this Government by the Publication of Resolves evidently calculated to controul the executive Power, and incite the People to a Disobedience of the Laws when the safety and defence p. 479 of the Country might render it necessary to call out the Militia into Service your Excellency being already Sufficiently apprized of these particulars

When We were upon the subject of an Address naturally suggesting such Professions of Duty as do not well consist with their former Conduct It would Seem that the Lower House thought some Apology necessary to account for the apparent and Striking Contrariety between Professions and Actions, and that as there has been a Criminal Failure in Point of Duty some where They were desirous to derive it from any other than Its genuine source This Circumstance makes Us apprehend that the Issue of this session will not rage [rase?] out or soften the Impression given by former Proceedings

Bills for the support of an Agent in England have been often Sent to us for our Concurrence, And We have as often refused it,

U. H. J. not only because We were unwilling to subject the Country to the
 Liber No. 35 Burthen of an unnecessary Imposition, but because the nature and
 April 28 Tendency of these Bills have been such as it can hardly be imagined
 the Frames of them could even entertain the least hope that We
 should be so inattentive to our own Rights Regardless of Property,
 and negligent of all order, as to suffer any of them to pass into Laws

By the uniform Scheme of these Bills Your Excellency Ourselves and Every Man in the Province without distinction who has any Property in Tobacco were to be taxed, and the Money arising from the Tax was to be lodged in the hands of Such Persons as the Lower House only direct, and the Agent to be employed was to be nominated also by them to Act by their Instructions only to correspond with them alone and to be removed at their Displeasure

In these Bills Aggrievances and Oppressions have been in a General manner mentioned, But they have not yet been specified much less has their Existence or Reality been proved, or any Application made to his Lordship for a Redress of them

Our Rejection of these Bills has been loudly sounded as an Aggrievance: but We cant help observing that whilst Men are possessed with such transcendent Ideas of Privilege as these very Bills testify They will have an inexhaustible Spring of Aggrievances till they are at length complimented with a Surrender of all Authority into their Hands and the Other Branches of the Legislature will be content with the Honour of becoming their Conduit Pipes for the Passage of Such Regulations into the form of Law as they shall be pleased in the Plenitude of their Power to dictate, But not to detain you longer on so disagreeable a Subject We flatter ourselves that your Excellency convinced of our unfeigned Zeal for his Majesty p. 480 Service and Sollicitude to promote it upon every Occasion will do us the Honour to join this House in an Address to the purpose mentioned in your Message of the 15th Instant
 To the Kings most Excellent Majesty

The humble Address of the Governor and the Upper and Lower Houses of Assembly of the Province of Maryland

May it please your Majesty Deeply affected with the Severe Loss we in common with our fellow Subjects have sustained by the Death of our late most Excellent King of happy Memory whose paternal Care the Inhabitants of these Colonies have experienced, so far as their particular Circumstances woud admit in the Course of his long mild just and Glorious Reign favourably Permit us, most gracious Sovereign to condole with your Majesty that Melancholy Event, But we should not approve ourselves in any respect worthy of the Indulgent Protection of Providence did we not derive and most thankfully acknowledge the strongest Consolation from a Contemplation on the Eminent and Royal Virtues which Constitute and Embellish the Character of a Good King, and give the best Assurance of a

Continuance under your Majestys Reign of the Invaluable Blessings which have flowed from that of Your Illustrious Grandfather, with this Assurance We join in the general Joy which hath been diffused through all the extensive Dominions of Great Britain and with the greatest Humility and purest Sincerity of Heart beg leave to Congratulate Your Majesty upon your Accession to the Throne of Your Ancestors

U. H. J.
Liber No. 35
April 28

May Your Majesty be rendered Happy by the prosperity of a true People flourishing under the Bengin Influence of your auspicious Government by a greatfull and adequate Retribution in their Zealous affection and firm Attachment to your sacred person and by every Solace of Humane Nature and we most fervently pray that your Majesty's Reign may be distinguished as well by its length as its Felicity and that there may never be wanting of your Royal Descendants to fill the Throne till time shall be no more

But it please Your Majesty to Indulge Us, destitue as we are of the proper means of Obtaining Access to the Throne, while We make use of this Opportunity of humbly expressing our concern that this Province has during the present just and necessary War contributed So little to the service of our late most Gracious Sovereign; and our Confidence, that untill a full inquiry be made into the Causes thereof which we most earnestly desire and the People shall be permitted to raise a support for an Agent, who may lay all the Grievances which they Suffer under the Government of their Lord Propry properly before your Majesty you will be graciously pleased to continue that favourable Opinion which we hope you have hitherto entertained of the Protestant Inhabitants of the Province of Maryland than whom permitt us Royal S^r to Say your Majesty has not in all Your Dominions Subjects more loyal more hearty Wellwishers to our present happy Establishment or more firmly or affectionately attached to your most sacred Person and Government

p. 481

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the first and second time by Especial Order a Bill prepared in this house Entituled A supplementary Act to the Act Ent.^d An Act for emitting and making Current 9000£ Current Money of Maryland in Bills of Credit and also to amend certain defects in an Act Ent^d An Act to Oblige the Naval Officers to give sufficient Bonds for what Moneys they shall receive belonging to the Publick, Passed and sent by Benedict Calvert Esq^r

Adjourned till to Morrow Morning ten of the Clock

U. H. J.
Liber No. 35
April 29

Wednesday Morning 29th April 1761

This house met again according to Adjournment

Present as Yesterday

His Excellency is pleased to communicate to this house the following Message

Gentlemen of the Upper House of Assembly

As the Members of the Lower House in an Address which was presented to me, the 15th Instant expressed a Willingness to join with us in such a one to his Majesty as I had then mentioned in my Messages to both houses, I was in hopes that they would most readily have done so, but since I perceive by the Report which accompanied your Yesterdays Address that they are averse to join us in any unless such a Clause be added to that which was offered to the Committee by some of your Members as Seems to be extremely improper and foreign to the subject of that Address, I presume there is not any probability of our all joining in one and the same Address to our most gracious Sovereign and therefore as I think it would become Us to transmit one with out longer delay I will if you please immediately sign that of Which you have presented me with a Copy

The 29th April 1761

Horatio Sharpe

To the Kings most Excellent Majesty

The humble Address of the Lieutenant Governor and the Upper House of Assembly in the Province of Maryland

Deeply Affected with the severe Loss we in Common with our Fellow subjects have sustained by the Death of Our late most Excellent King of happy memory whose paternal Care the Inhabitants of these Colonies have in the Amplest Manner Experienced in the Course of his long mild just and Glorious Reign favourably permit us most gracious sovereign to Condole with your Majesty that p. 482 melancholy Event, But We should not approve ourselves in any respect worthy of the Indulgent Protection of Providence did We not desire and most thankfully acknowledge the strongest Consolation from a Contemplation on the Eminent and Royal Virtues which constitute and Embellish the Character of a good King and give the best Assurance of a Continuance under your Majestys Reign of the Invaluable Blessings We have so long Enjoyed during that of your Illustrious Grandfather with this Assurance we join in the General Joy which hath been diffused through all the Extensive Dominions of Great Britain and with the greatest Humility and purest Sincerity of Heart beg leave to congratulate your Majesty upon Your Accession to the Throne of Your Ancestors

May your Majesty be rendered Happy by the prosperity of a free People flourishing under the Benign Influence of Your Aus-

picious Government by a grateful and Adequate Retribution in their
Zealous Affection and firm Attachment to your Sacred Person and
by every Solace of Human Nature and most fervently pray that
Your Majestys Reign may be distinguished as well by its Length as
its Felicity

U. H. J.
Liber No. 35
April 29

Horatio Sharpe
Benj:^a Tasker President

To the Right Honble Frederick Lord Baron of Baltimore Abo-
lute Lord and Proprietary of the Province of Maryland &c

The humble Address of your Lordships Governor and Upper
House of Assembly

Thinking it our Indispensible Duty to pay that Tribute of Respect
due to the Memory of our late most Excellent Sovereign which
gratitude has dictated to all our fellow Subjects who have uni-
versally Enjoyed the Blessings of his gracious Rule and Paternal
care and also to congratulate his present Mejesty on his Accession to
the Crown under whose Protection and Government we have so fair
a Prospect of Enjoying all our Rights in the same Extent from the
same source of Royal Virtues We have framed an Address of Con-
dolence and Congratulation to the Kings most Excellent Majesty
which we take the Liberty to request that your Lordship will do
us the Honour to Present

H Sharpe
B Tasker President

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

Mess^{rs} Crabb and Maguder attend attend with M^r Cresap in order
to see him qualified who takes the several Oaths to the Government
prescribed by law reapeats and subscribes the Abjuration and Test p. 483
and then with draws

Adjourned till to Morrow Morning ten of the Clock

Thursday Morning 30th April 1761

April 30

This house met again according to Adjournment

Present as Yesterday

Read the Petition of Michael Risoner, Samuel Duval, Nathaniel
Wickham, George Baker, Joseph Luxenburgh and John Turnbul
languishing Prisoners in Frederick County praying Relief referred
to the Consideration of the Lower House and by Col. Hammond.

U. H. J. Read the Petition of Francis Ware, referred to the Consideration
 Liber No. 35 of the Lower House of Assembly & Sent by John Ridout Esq^r
 April 30 Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again according to Adjournment

Present as in the Morning

His Excellency is pleased to communicate to this house the following Message

Gentlemen of the Upper house of Assembly

In consequence of the Address You were pleased to present to me last Tuesday together with the Report of a Committee of both Houses I sent His Lordships Attorney General a Bond for the sum of One Thousand Pounds Sterling that was executed and delivered to me the 14th of March 1755 by Henry Darnall, John Darnall and Charles Carroll Esq^{rs} conditioned for the said Henry Darnall's due Execution of the Naval Office of Patuxent District requiring him at the same time to take proper Steps in order to recover for the Use of the Publick the Money which it is apprehended the said Henry Darnall has not accounted for and paid as he ought to have done in answer to my letter the Attorney General now Informs me that he hath received from John Darnall and Char^s Carroll Esq^{rs} Bills of Exchange for the sum of One Thousand Pounds Sterling being the penalty of the Abovementioned Bond and he desires my Order for the disposal of the said Bills I should Gentlemen be glad of your Advice on this matter that I may give the Attorney General an Answer, and Also to know what farther steps you thing ought to be taken in Order to recover the Money which Mr Darnall may still owe on Account of Duties received by him a Naval Officer of Patuxent for the use of the Country

The 30.th of April 1761

Horatio Sharpe

p. 484 Benedict Calvert, and John Ridout Esq^{rs} present to his Excellency the following Address

To his Excellency Horatio Sharpe Esq^r Governor and Commander in Chief in and over the Province of Maryland

The humble Address of the Upper House of Assembly

May it please your Excellency

We are much Obliged to your Excellency for the Measure you have been pleased to take in Consequence of Our Address Relative to the Naval Officer of Patuxent

We think that the Bills received of John Darnall & Charles Carroll Esq^{rs} may be properly delivered to the Commissioners of

the Loan Office with Instructions for their Remittance of them
to the Trustees in London

U. H. J.
Liber No. 35
April 30

As the penalty of the Bond given by the Naval Officer has been paid by his Sureties We presume that no further demand can be made of them and as to the Naval Officer himself, the most proper method which Occurs to us to proceed against him in Order to Obtain Justice to the Public in respect of the Money he may still Owe is by Bill in Equity in the name of the Lord Propry and Also for a ne Exeat Provinciam, & an Injunction to stop any money which may be due and Owing to him in the Hands of Any Other

B Tasker President

Read the Bill prepared in this house Entituled An Act to repeal part of An Act Ent.^d An Act to prevent Evils arising from entring up Judgment upon Bonds commonly called Judgment Bonds to direct the manner of issuing Execution on Loan Office Bonds and to regulate certain fees therein mentioned and Also for the more easy foreclosure of Mortgages, and Also read the same Bill a second time by Especial Order passed & Sent by Stephen Bordley Esq^r

Adjourned till to Morrow Morning ten of the Clock

Friday Morning 1st May 1761

May 1

This house met again according to Adjournment

Present as Yesterday

Read the Petition of the Executors of John Paca jun^r late of Baltimore County deceased praying leave to bring in a Bill for the sale of the Lands therein mentioned for the payments of the Debts of W.^m Hammond deceased, referred and Sent by Col Hammond

A Message from the Lower house by Mess^{rs} Murdock & Carroll
By the Lower house of Assembly

May it please your Honours

This house is preparing a Bill for encouraging a Collection and Publication of the Laws of this Province in which a Committee of both Houses is to be appointed to inspect examine into and Consider p. 485 of the said Collection and to compare the same with the Originall Laws, and desire your Honours will name some Members of Your House to be nominated in the said Bill together with M^r William Murdock, M^r Edward Tilghman M^r Charles Carroll M^r Matthew Tilghman M^r John Hammond M^r Brice Thomas Beal Worthington & M^r Thomas Ringgold of this House as a Committee for the purpose aforesaid

Signed p Order John Allen Thomas Clk. Lo. Ho.

May 1st 1761

The following Answer is Sent by Sam^d Chamberlain Esq^r

U. H. J.
Liber No. 35
May 1 Gentlemen

By the Upper house of Assembly 1st May 1761

In Answer to your Message of this Day by Mess^{rs} Murdock & Carrol, this House hath appointed the honble Col Hammond Col Lloyd Samuel Chamberlaine Benedict Calvert Dan^l Dulany Stephen Bordley and John Ridout Esq^{rs} to join the Members named by your House for the purposes intended by the said Message

Signed p Order John Ross Clk. Up. Ho

Fifteen Bills brought from the Lower House by Mess^{rs} Tilghman and Hanson Viz An Act for issuing Writts of Replevin out of the County Courts of this Province An Act continuing An Act Ent^d An Act to prevent certain Evils and Inconveniencies attending the sale of Strong Liquors, & runing Horse Races near the Yearly meetings of the People called Quakers and to prevent, the Tumultuous Concourse of Negroes and Other slaves during the said meetings, and also one other Act Entituled an Act to mend and explain an Act Ent^d An Act to prevent certain Evils and Inconveniencies attending the sale of Strong Liquors and runing Horse Races near the Yearly meetings of the People called Quakers and to prevent the tumultuous Concourse of Negroes & other slaves during the said Meetings An Act Contn^g An Act for destroying Wolves in Fredk County An Act contg An Act Ent^d An Act for the more effectual Punishment of Negroes and Other Slaves and for taking away the Benefit of Clergy from certain offenders and supplementary Act to an Act Ent^d An Act to prevent the tumultuous Meeting and other Irregularities of Negroes and Other slaves and directing the manner of trying Slaves An Act continuing an Act Ent^d An Act for punishment of Horse stealers and Other Offenders An Act continuing an Act Ent^d an add^l Supplementary Act to the Act Ent^d An Act relating to servants & Slaves An Act cont^g an Act to make the Testimony of convicted Persons legal against convicted Persons An Act cont^g An Act Ent^d an Add^l and explanatory Act to the Act entituled An Act impowering the Comm^{rs} of the County Courts to levy and raise Tobacco to defray the necessary Charges of their Counties and Parishes, An Act cont^g An Act to make it Penal to forge or Counterfeit the Bills of Credit of Virginia Pensilvania New York East of West Jersies or the three Lower Counties on Delaware called Newcastle Kent & Sussex or to utter or tender the same in payment within this Province knowing them to be such An Act continuing An Act Entituled a supplementary Act to An Act Ent^d An Act laying an Imposition on Negroes and Several Sorts of Liquor imported and Also on Irish servants to prevent the importing too great a Number of Irish Papists into this Province, An Act cont^g: An Act Ent^d An Act for the more effectual Punishment of Certain Offenders and for taking from them Benefit of Clergy An Act cont^g An Act Ent^d An Act to enable the several & respective County Clerks

within this Province to remove some of the County Records and Papers from the Publick Office An Act continuing An Act relating to Guardians and Orphans An Act continuing an Act entituled An Act to exempt Persons appearing at musters from Arrest in Civil Cases An Act contg an Act entd an add.¹ Supplementary Act to the Act Ent^d an Act for issuing and taking out of the office of the Commissioners or Trustees appointed for Emitting Bills of Credit is established by Act of Assembly the sum of 4500£ Current Money for encouragement of Such able bodied Freemen as shall Voluntarily enlist themselves into his Majestys Service for the intended Expedition against Canada and for maintaining and Conveying them to the place of Rendezvous as also for replacing the said sum and for the Better regulating Ordinaries and Ordinary Keepers and for other purposes therein mentioned Severally thus Indorsed

U. H. J.
Liber No. 35
May 1

By the Lower House of Assembly 25th April 1761

Read the first [time] and ordered to lye on the Table

Signed p Order Jn^o Allen Thomas Clk Lo Ho

By the Lower House of Assembly 1 May 1761

Read the second time and will pass

Signed p Order John Allen Thomas Clk Lo. Ho

Read the first time in this House & ordered to lye on the Table

Adjourned till 3 of the Clock in the Afternoon

Eodem die post Meridiem

This house met again according to Adjournment

Present as in the Morning

A Bill by the Lower house of Assembly by Mess^{rs} Worthington & Hammond Ent^d an Act for encouraging a Collection and publication of the Laws of this Province thus endorsed By the Lower house of Assembly 25th April 1761

Read the first time and Ordered to lye on the Table

Signed p Order John Allen Thomas Clk. Lo. Ho

By the Lower House of Assembly 1st May 1761

Read the second time and will pass

p. 487

Signed p Order John Allen Thomas Clk Lo. Ho

A Bill by Mess^{rs} Tilghman & Ringgold Ent^d An Act for the Tryal of All matters of fact in the several Counties where they have arisen or shall arise thus endorsed by the Lower House of Assembly 1st May 1761

By the Lower House of Assembly

Read the first time and ordered to Lye on the Table

Signed p Order John Allen Thomas Clk. Lo. Ho

U. H. J.
Liber No. 35
May 1

By the Lower House of Assembly 1st May, 1761
Read the second time and will pass
Signed p Order John Allen Thomas Clk. Lo. Ho.

Adjourned till to Morrow Morning ten of the Clock

May 2

Saturday Morning 2^d May 1761
This House met again according to Adjournment

Present as Yesterday

Four Bills by Mess^{rs} Steuart & Scarburgh A Bill to raise a fund for the support of An Agent in Great Britain for the service of this Province An Act to Augment the salaries of the Inspectors at Elk Ridge Landing Warehouse in Ann Arundell County and for other purposes therein mentioned An Act for erecting a Publick Warehouse at Vienna Town in Dorchester County An Act to Aid the proceedings of the Vestry of St Stephens Parish in Cecil County Sev^{ly} thus endorsed

By the Lower house of Assembly 28th April 1761
Read the first time and ordered to lye on the Table
Signed p Order John Allen Thomas Clk. Lo. Ho

By the Lower House of Assembly 1st May 1761
Read the second time and will pass
Signed p Order John Allen Thomas Clk. Lo. Ho

Read the first time in this house & ordered to lye on the Table
The Journal of Accounts brought from the Lower house by M^r Govane & others thus subscribed 2^d May 1761
Read and Assented to by the Lower house of Assembly
Signed p Order John Allen Thomas Clk Lo. Ho

Adjourned till Monday Morning ten of the Clock

May 4

Monday Morning 4th May 1761
This House met again according to Adjournment

Present

the honble	{ Benj ^a Tasker Esq ^r Sam ^l Chamberlaine Esq ^r	} Dan ^l Dulany Esq ^r Step ^a Bordley Esq ^r John Ridout Esq ^r
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p. 488 Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

U. H. J.
Liber No. 35
May 4

This House met again according to Adjournment

Present as in the Morning

Read the Petition of Sam:^d Chapman & Athur Collins praying a Bill may be brought in to prohibit the fixing any Wares [weirs] in Patuxent River or in any manner Obstructing the Waters thereof in there natural Channel referred & Sent By John Ridout Esq^r

Adjourned till to Morrow Morning ten of the Clock

Tuesday Morning 5th May 1761

This house met again according to Adjournment

Present as Yesterday & Col Hammond & Bend^t Calvert

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This House met again according to Adjournment

Present as in the Morning

Read the second time the Bill Ent.^d An Act for the Tryall of all Matters of Fact in the several Counties where they have arisen or shall arise, The Bill Ent.^d An Act for issuing Writts of Replevin out of the County Courts of this Province and will not pass Sent by Stephen Bordley Esq^r

Ordered that the honble Sam:^d Chamberlaine & Bend^t Calvert Esq^{rs} be appointed a Committee of this House to inspect the Journal of Accounts brought from the Lower House and make Report thereof

Wednesday Morning 6th May 1761

May 6

This House met again according to Adjournment

Present as Yesterday

Three Bills by Mess^{rs} Ringgold and Govane An Act to establish a Market at the Market house in Chester Town in Kent County and for the Regulation of the said Market An Act to enable Ja^s Hollyday Legal Representative of James Hollyday Esq^r late Treasurer of the Eastern shore to draw Bills for the Money therein mentioned An Act to impower Mary Stansbury Widow and Administratrix with the Will annexed of Tobias Stansbury late of Baltimore County to sell the Lands therein mentioned for the payment of the Debts of the said Tobias Stansbury thus endorsed

By the Lower House of Assembly 5th May 1761

Read the first time and ordered to Lye on the Table

Signed p Order John Allen Thomas Clk. Lo. Ho

U. H. J.
Liber No. 35
May 6
p. 489

By the Lower House of Assembly 6th May 1761

Read the second time and will pass

Signed p Order John Allen Thomas Clk Lo. Ho

A Bill by Mess^{rs} Baker and Purnell from the Lower House of Assembly Ent^d an Act to preserve the Breed of Fish in the River Susquehannah thus endorsed

By the Lower House of Assembly 24th April 1761

Read the first time and ordered to lye on the Table

Signed p Order John Allen Thomas Clk. Lo. Ho

By the Lower House of Assembly 6th May 1761

Read the second time and will pass

Signed p Order John Allen Thomas Clk Lo. Ho

Adjourned till 3 of the Clock in the Afternoon

Eodem Die post Meridiem

This house met again According to Adjournment

Present as in the Morning

Read the second time the Bill Entituled An Act for encouraging a Collection and Publication of the Laws of this Province, and with the Amendments herewith sent will pass

In the 8th Line of the first page after the word the same put the honble The Proviso in the second Page to be omitted and also in the same Page after the Word Clerk in the Enacting, Clause, leave out the Words to the End of that Clause and insert the following Words, who shall attend the said Committee, shall be allowed for his service the Sum of 112 lbs w.^t of Tobacco p Day In the second Proviso Page 3^d Leave out the Words, and more especially such the force or Existence whereof have been anyways questioned or disputed, and in the said Proviso in the 4th Line Leave out the Words and Appendix, And the Words in the 3^d Page, And for the Encouragm^t of the said Thomas Bacon and the Better to enable him to print and publish so useful a Work Leave out the Rest of the Clause and instead thereof insert as follows Viz^t Be it Enacted by the Authority af^d that there shall be allowed to the said Thomas Bacon the several sums of Current Money in the several Counties within this Province following to Wit in Baltimore County the sum of 31..10..0 in Ann Arundel County 27..0..0 in Charles County 25..0..0 in Prince Georges County 24..0..0 in Frederick County 22..0..0 in Queens Anns County 21..15..0 in St Marys County 21..0..0 in Kent County 19..15..0 in Talbot County 19..5..0 in Somerset County £19..0..0 in Worcester County 18..5..0 in Cecil County 18..0..0 in Calvert County 13..0..0 in Dorchester County 20..0..0 Which said respective Sums of Money to gether with the Sheriffs Salary of 5p Centum for

collecting the same the Justices of the said Several County Courts within this Province are hereby impowered and required to allow and assess in their respective County Levies at the time when the next Levy shall be laid after Eighteen Copies of the said Collection cast off upon good Paper in large Folios and with a fair Type and agreeable to the proposals before mentioned shall have been deliv,^d by the said Thomas Bacon well Bound in Calf Skin and Lettered to the Persons hereafter named that is to say one Copy thereof to His Excellency the Governor, or Commander in Chief for the Time, being one to each Clerk of the two houses of Assembly for the Use of their respective Houses one to the Clerk of the provincial Court for the Use of the said Court one to the Clerk of each County Court for the Use of their respective Courts And the said Several sums of Money so to be allowed and assessed as afs.^d Shall be Collected by the sheriff of each respective County and paid by them respectively free from any abatement or deduction to the said Thomas Bacon upon his producing to them a Certificate from his Excellency the Governor or the Commander in Chief for the time being and from each of the Clerks above mentioned certifying that they have respectively received the said printed Copies well bound and lettered as aforesaid In the 5th line of last Page Lave out all that follows, the Word Work to the End, and insert which he shall cause to be forthwith printed and he the said Thomas Bacon is hereby required carefully to Supervise and Correct the press for which Attendance and trouble he shall be allowed the sum of 60£ in the Journall of Accounts

Signed p Order John Ross Clk. Up. Ho

Sent by Ben^t Calvert Esq^r

The honble Sam Chamberlaine Ben:^t Calvert Esq^r bring in the following Report

The honourable the Upper House having appointed Samuel Chamberlaine and Benedict Calvert Esq^rs to Inspect the Journal of Accounts sent up by the Lower House of Assembly

In Pursuance of the said Appointment Your Committee met on Wednesday the Sixth Day of May 1761 and made Choice of John Davidson for their Clerk

We Beg leave to Report to Your Honours that pursuant to the appointment aforesaid We have taken the said Journal under our Consideration And find that many Claims which upon recollection We have reason to believe ought to have been entered and Allowed upon the Journal are omitted And in Particular We do not find any Allowance there to the Governor for a Considerable sum for Sundry Expences M^r Ross as Clerk of the Council

The Judges of the Court of Appeals from february 1760 to the present time, The several parts of the Province for the quartering

U. H. J.
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U. H. J. Soldiers from the Fall in 1757 to the following March the Militia
 Liber No. 35 from Several Parts of the Province ordered out by the Governor &
 May 6 Council

The following Accounts of Patrick Creagh and John Thompson
 for repairs to the Council House in 1756

1756 The Province of Maryland p order of the Council to
 1756 Patr.^r Creagh

May 17	To 10 Squares of Glass Stopt in the Council House Win-	}	£1..10..0
	dow 13 $\frac{3}{4}$ by 11.....		
July 1	To 2 hooks for the Council House.....	0.. 1..0	
5	To 2 Bolts for the Windows D. ^o	0.. 3..0	
	To 10 Staples for D ^o 2/6 to 4 Hooks 4 ^s	0.. 6..0	
	To straightening Some Bolts.....	0.. 1..0	
	To 4 hooks and Staples for Ditto.....	0.. 4..0	
Sep ^r 22	To painting the Doors & Shutters Dormants &c of the Council House and finding paint & Oil.....	6.. 0..0	
	To 1 large Square of Glass Stopt in the front Window..	0.. 2..0	
	To Stop ^g in 3 Sash Squares in the Dormant Windows...	0.. 2..0	
	True Copy from M ^r Creaghs Book p Rich ^d Mackubin Administrator of Patrick Creagh.....	£8..10..0	

	The Province of Maryland to John Thompson	Dr
	Making 5 pair Window Shutters & 2 Door Cases &	
1756	To 12 Days work of three hands on the Council House in	10..16..0
July	Sundry other repairs for ditto a 6 ^s / p Day Each...	
	To 200 foot of Plank & Scatling at 10 ^s /.....	1.. 0..0
	To 900 Nails Brick layers Work & Lime.....	0..17..0
	Errors Excepted p John Thompson.....	£12..13..0

The foregoing particulars we Intimate to your Honours from
 memory only except Patrick Creagh's & John Thompson Accounts
 which are here inserted And think we may presume there may be
 many Others omitted of which we have no Information and which
 may with equal Justice with many We find inserted on the Journal
 by the Lower House Claim an Allowance there, In Order therefore
 to Attain the fullest Information and Insight into the Premisses We
 took the liberty to Send to the Clerk of the Lower House Com-
 mittee of Accounts the following Message

M^r Beale Nicholson

I am directed as Clerk of the Committee appointed by the Hon-
 ourable the Upper House of Assembly to Examine the Journal of
 Accounts to let you know they cannot proceed in their Examination

without having the same Publick Accounts laid before them which were laid before the Committee of Accounts of the lower House, I am therefore Ordered to Call upon you for them accordingly that the Committee of the Upper House may proceed in their examination

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And to prevent any mistake they have ordered me to deliver this Message in Writing

Signed p Order of the Committee

John Davidson Clk

Upon our Clerks delivering the foregoing Message, he Reported to us that the Clerk of the Committee of Accounts for the Lower House of Assembly delivered him the following Answer; That he was not permitted to deliver the Papers which he had applied for, for want of which your Committee is not enabled to proceed to a further Examination, All which We beg leave to Submit to the Honourable House

Sam^l Chamberlaine
Bend^t Calvert

May 6.th 1761

Which being Read and Approved of It was unanimously Resolved that for the future no Accounts be allowed by this House upon the Journal of Accounts unless the same, or a Copy thereof, with a Copy of the Probate thereto if any attested to be a true Copy of Such Accounts Probate if any by some Magistrate or by the Oath of the Party taken before some Magistrate be laid before this House at the same time that such Account, or a Copy thereof be laid before the Committee of Accounts of the Lower House of Assembly And that all Persons have due Notice hereof and conduct themselves accordingly it is hereby Ordered that M^r Jonas Green printer make Publick the aforesaid Resolve by printing the same in his Six Succeeding Gazettes

Signed p Order, John Ross Clk. Upr. Ho

The Journal of the Committee of Accounts is sent to the Lower House thus Subscribed by John Ridout Esq^r 6 May 1761

Read and will not be assented to by the Upper house of Assembly

Signed p Order John Ross Clk. Up. Ho

The honourable Sam^l Chamberlaine Esq^r and Benedict Calvert Esq^r are sent to the Lower House to acquaint the speaker that his Excellency requires his immediate Attendance with the Lower House in the Council Room

The Lower House attend and his Excellency is pleased to conclude this Convention with the following speech

U. H. J. Gentlemen of the Upper and Lower Houses of Assembly
Liber No. 35 I have thought fit with the Advice of his Lordships Council of
May 6 State to prorogue this Assembly to first Monday in August being
p. 493 the Third Day of the same month and you are to take notice you
are prorogued to that Day Accordingly

Thus Ends this Convention of Assembly begun and held at the
City of Annapolis on Monday the 13th day of April and ending the
sixth Day of may in the Eleventh Year of his Lordships Dominion
Annoq Domini 1761

John Ross Clk

PROCEEDINGS
OF THE
LOWER HOUSE OF ASSEMBLY

At a Session of Assembly begun and held at the City of Annapolis,
on Monday the 13th Day of April, One Thousand Seven Hundred
and Sixty-one, and in the Eleventh Year of the Dominion of the
Right Honourable Frederick, Absolute Lord and Proprietary of the
Provinces of Maryland and Avalon, Lord Baron of Baltimore, &c.
(his Excellency Horatio Sharpe, Esq; being Governor), the follow-
ing Delegates appeared in the Lower House of Assembly, viz.

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The Honourable Col. Henry Hooper, Speaker.

For St. Mary's County,

Mr. H. Greenfield Sothoron,
Mr. William Thomas.

For Kent County,

Major William Hynson,
Mr. Richard Gresham,
Mr. Thomas Ringgold.

For Anne-Arundel County,

Capt. John Gassaway,
Mr. Brice T. B. Worthington,
Mr. John Hammond.

For Calvert County,

Mr. Benjamin Mackall, junior,
Mr. Edward Gantt.

For Charles County,

Mr. John Hanson, junior,
Mr. John Trueman Stoddert.

For Talbot County,

Mr. John Goldsborough,
Mr. Pollard Edmondson.

For Dorchester County,

Mr. Charles Goldsborough,
Mr. Daniel Sulivane.

For Baltimore County,

Mr. William Govane,
Mr. Thomas Cockey Deye,
Mr. Samuel Owings.

For Cæcil County,

Mr. Henry Baker,
Col. John Veazy.

For Queen-Anne's County,

Mr. Edward Tilghman,
Mr. Matthew Tilghman.

For Prince-George's County,

Mr. William Murdock,
Mr. Francis King,
Mr. Josias Beall, junior.

For City of Annapolis,

Mr. Walter Dulany,
Dr. George Steuart.

For Worcester County,

Mr. Benton Harris.

For Frederick County,

Capt. Joseph Chapline,
Capt. Henry Wright Crabb.

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A sufficient Number of Delegates to compose a Lower House of Assembly being convened at the Stadt-House; Mr. Edward Tilghman and Dr. George Steuart attended on his Excellency the Governor to acquaint him therewith.

Stephen Bordley, and John Ridout, Esquires, from the Upper House, and John Ross, Clerk of the Council, came into the Stadt-House, in whose Presence the aforesaid Delegates took the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and signed the Test.

Col. Lloyd, and Daniel Dulany, Esq; from the Upper House, acquaint the Members of this House, That the Governor requires their Attendance in the Upper House.

The Members of the Lower House went to the Upper House, and his Excellency made the following Speech:

Gentlemen of the Upper and Lower Houses of Assembly,

Not doubting but you are affected with extreme Sorrow and Concern [The speech which begins thus, is printed in full in the Upper House Journal, pp. 399-400]

[p. 339] Mr. Speaker (with the Rest of the Members) returned to the Lower House, and re-assumed the Chair.

The House proceeds to choose a Clerk, and made Choice of Mr. John Allen Thomas.

Ordered, That Mr. John Goldsborough and Mr. Matthew Tilghman do acquaint his Excellency with the Choice which this House hath made of a Clerk, and to desire his Approbation. They returned, and acquaint Mr. Speaker, That they delivered the Message.

Ordered, That Mr. Murdock and Mr. Hanson do go with Mr. Thomas to the Upper House, to see him Qualified. They return and acquaint Mr. Speaker, That they saw him take the several Oaths to the Government required by Law, sign the Oath of Abjuration, and repeat and sign the Test, and take the Oath of Office.

Ordered, That his Excellency's Speech (a Copy of which the Governor delivered Mr. Speaker) be Read; which was accordingly; and Ordered to lie on the Table.

His Excellency communicated to Mr. Speaker the following Letters.

Whitehall Decem^{br} 17th 1760

Sir

His Majesty having nothing so much at Heart as by [The letter from William Pitt, Secretary of State, which begins thus is printed in full in the Upper House Journal, pp. 400-402]

Sir

On the 1st of January last I signified to you, that [*The letter from General Amherst which begins thus, is printed in full in Upper House Journal, pp. 402-404*]

New York 15th March 1761

L. H. J.
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April 13

Which were read and ordered to lie on the Table.

Ordered, That Dr. Steuart do administer to Capt. Robert Sanders, [p. 344] Serjeant at Arms, and Andrew Buchanan, Door-Keeper, to the Lower House of Assembly, the several Oaths to the Government, and the Oaths of their respective Offices.

Dr. Steuart acquaints Mr. Speaker, That Capt. Robert Sanders and Andrew Buchanan had taken the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and signed the Test, and severally took the Oath of Office.

Ordered, That Dr. Steuart do acquaint the Reverend Mr. Keene, That he is desired by this House to Read Divine Service at a Quarter before Nine in the Morning, and at Six of the Clock Afternoon, during this Session.

On Motion, Ordered, That his Excellency's Speech be again Read; which accordingly was.

Ordered, That an Address be prepared, to be presented to his Excellency, in Answer thereto; and that Mr. Edward Tilghman, Mr. Matthew Tilghman, Dr. Steuart, Mr. Murdock, and Mr. Dulany, do prepare and bring in the same.

Resolved, That the Hours of Sitting this Session, for the Dispatch p. 345 of Public Business, be from Nine of the Clock until Twelve and from Two of the Clock until Six.

The House adjourns till the Morrow Morning 9 of the Clock.

Tuesday, 14th April, 1761.

April 14

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Mr. Greenfield, Mr. Bowman, Mr. Gibson, Col. Travers, Mr. Baker, and Mr. Mauldin, appeared in the House.

Ordered, That Mr. John Goldsborough and Mr. Gassaway do go with them to the Upper House, to see them Qualified. They return and acquaint Mr. Speaker, That they saw them Qualified in the usual Manner. The Gentlemen took their Seats accordingly.

Resolved, That the Rules observed by the several Members last Session, be observed as such during this Session.

The House appoints Mr. Dulany, Mr. Worthington, Mr. Stoddert, Mr. Hanson, Mr. Beall, and Mr. Ringgold, a Committee to Inspect the Accounts and Proceedings of the Commissioners or Trustees for Emitting Bills of Credit, established by Act of Assembly.

L. H. J.
Liber No. 51
April 14

The following Message:

By the Lower House of Assembly, April 14, 1761.

May it please your Honours,

This House hath appointed Mr. Dulany, Mr. Worthington, Mr. Hanson, Mr. Stoddert, Mr. Beall, and Mr. Ringgold, a Committee from this House to Inspect the Accounts and Proceedings of the Commissioners or Trustees for Emitting Bills of Credit, established by Act of Assembly; and desire your Honours appoint one or more of the Members of your House to join in the said Committee.

Signed p Order, John Allen Thomas, Cl. Lo. Ho.

Was sent to the Upper House by Mr. Worthington and Mr. Hanson.

p. 346 The House adjourns till 2 of the Clock Afternoon.
Post-Meridiem. The House met according to Adjournment.

Mr. Dulany brings in and delivers to Mr. Speaker, an Address to his Excellency; which was Read, Approved, and Ordered to be Ingrossed.

Mr. Dulany brings in and delivers to Mr. Speaker the following Ingrossed Address:

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland:

The humble Address of the House of Delegates.

May it please your Excellency,

We, his Majesty's most dutiful and loyal Subjects, the Delegates of the Freemen of the Province of Maryland, in Assembly convened, return your Excellency our Thanks for your kind Speech at the Opening of this Session.

The severe Loss which we have sustained by the Death of our late most Gracious Sovereign, whose paternal Care We and all our Fellow-Subjects have so sensibly experienced, fills our Hearts with the deepest Concern, and we most sincerely condole with your Excellency on that melancholy Event.

But while we deplore the Loss of so great and good a King, it affords us the highest Consolation to see the Throne immediately filled by one of His illustrious Descendants, whose eminent and princely Virtues are happy Presages of a Continuance of all those Blessings we have so long enjoyed under the mild and glorious Reign of His Royal Grandfather; upon which important Occasion, permit us to offer your Excellency our most hearty Congratulations.

We are fully sensible of the Wisdom of his Majesty's Resolution, to push the War with Vigour, and shall immediately take under our Consideration, the Letters you have been pleased to lay before us

from the Right Honourable William Pitt, Esq; and his Excellency General Amherst: And as we cannot doubt but we shall equally share the Blessings, which all the good and loyal Subjects of our most Gracious Sovereign have the greatest Reason to expect under His auspicious Reign, so we flatter ourselves that our Proceedings on this Occasion will preserve the favourable Opinion, which we hope His Majesty entertains of the People of this Province, and give a sufficient Proof of our own Attachment to His Sacred Person and Government.

L. H. J.
Liber No. 51
April 14
p. 347

Which was Read and Assented to, and Signed, by Order of the House, by the Honourable Speaker.

Ordered, That Mr. Matthew Tilghman and Mr. Murdock do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it. They return and acquaint Mr. Speaker, That the Governor signified he would receive the Address immediately in the Conference Chamber.

Ordered, That Mr. John Goldsborough, with Five more, do present the Address to his Excellency.

Ordered, That the several Standing Committees be continued this Session.

The House adjourns till the Morrow Morning 9 of the Clock.

Wednesday, 15th April, 1761.

April 15

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

The Governor communicated to Mr. Speaker, the following Message:

Gentlemen of the Lower House of Assembly,

Be pleased to accept my Acknowledgments for your obliging Address, for your Promise to take immediately into Consideration the Letters which I have laid before you, and for the Hopes you have given me, that your Proceedings on this Occasion will be a convincing Proof of your Attachment to His Majesty's Sacred Person and Government, and of your earnest Desire to preserve the favourable Opinion which I hope He hath been graciously pleased to entertain of the Inhabitants of this Province.

p. 348

Hor.^o Sharpe.

Which was read and ordered to lie on the table.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, the following Message:

L. H. J.
Liber No. 51
April 15

Gentlemen,

By the Upper House of Assembly, 14th April, 1761.

This House hath appointed Benedict Calvert, Esq; to join the Members named by your House, in a Committee to inspect the Accounts and Proceedings of the Commissioners of the Paper Currency Office.

Signed p Order, J. Ross, Cl. Up. Ho.

On Motion, Resolved, That this House will take into Consideration, the Subject Matter of the Governor's Speech immediately after the Call of the House in the Afternoon.

Daniel Dulany, Esq; from the Upper House, delivers to Mr. Speaker, the Memorial and Petition of William Clajon, and Mary his Wife; Indorsed By the Upper House of Assembly, 15th April, 1761. Read and Referred to the Consideration of the Lower House of Assembly; which said Memorial and Petition was here Read, and ordered to lie on the Table.

On Motion, Ordered, That the Committee appointed by this House to Inspect the Accounts and Proceedings of the Commissioners or Trustees for Emitting Bills of Credit, established by Act of Assembly, be instructed forthwith to Inspect into the State of the Fund for sinking the said Bills of Credit, and Report the same to the House.

Col. Hopper, Mr. Fraser, and Col. Scarborough, appear in the House.

Ordered, That Mr. Edward Tilghman and Mr. King do go with them to the Upper House, to see them Qualified. They return and acquaint Mr. Speaker, They saw them Qualified in the usual Manner.

The Gentlemen took their Seats in the House.

p. 349 On Motion, Ordered, That Mr. Speaker do issue his Warrant to the Deputy Secretary of this Province forthwith to make out a Writ of Election, directed to the Sheriff of Somerset County, to Elect a Delegate to serve in the General Assembly of this Province, now Sitting, in the room of Mr. Henry Wagaman, deceased.

Mr. William Smallwood, a Delegate Elected by the Freeholders of Charles County, to serve in the General Assembly of this Province, appeared in the House.

Ordered, That Mr. Hanson and Mr. Stoddert do go with Mr. Smallwood to the Upper House, to see him Qualified. They return and acquaint Mr. Speaker, They saw him Qualified in the usual Manner.

The Gentleman took his Seat in the House.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

The Order of the Day was Read.

His Excellency communicated to Mr. Speaker, the following Message:

L. H. J.
Liber No. 51
April 15

Gentlemen of the Lower House of Assembly,

As I think it would become us, in an Address of Condolance to his Majesty, to express our Sense of the great Loss which he and his Subjects have sustained by the Death of our late most Gracious and Excellent Sovereign, and at the same Time to congratulate his Majesty on his happy Accession to the Throne of his Ancestors, I take the Liberty to intimate as much to you; and if you approve of the Proposal, I shall be glad to join with the Gentlemen of the Upper House and You in such Address.

15th of April, 1761.

Hor.º Sharpe.

On Reading and Considering the above Message; Ordered, That an Address be prepared to his Excellency in Answer thereto; and that Mr. Edward Tilghman, Mr. Matthew Tilghman, Mr. Murdock, Dr. Steuart, Mr. Dulany, and Mr. Hammond, do prepare and bring in the same.

Mr. Tilden appeared in the House.

p. 350

Ordered, That Major Hynson and Mr. Ringgold do go with Mr. Tilden to the Upper House, to see him Qualified. They return and acquaint Mr. Speaker, That they saw him Qualified in the usual Manner.

The Gentleman took his Seat accordingly.

Ordered, That the Gentlemen appointed to draw the above Address, be appointed to joint in a Committee with the Members appointed by the Upper House to draw an Address of Condolance on the Death of his late Majesty, and Congratulations on the Ascension of his present Majesty to the Throne of Great Britain.

Mr. Edward Tilghman brings in and delivers to Mr. Speaker, an Address to his Excellency; which was Read, Approved, and Ordered to be Ingrossed.

Mr. Edward Tilghman brings in and delivers to Mr. Speaker the following Ingrossed Address:

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland:

The humble Address of the House of Delegates.

May it please your Excellency,

We cannot but agree with your Excellency in Opinion, that it would become us to join in such an Address to his Majesty as you have been pleased to mention in your Message of this Afternoon; and we propose to proceed with the Gentlemen of the Upper House

L. H. J. in the Forming thereof, in order that it may be presented to your
 Liber No. 51 Excellency for your Approbation.
 April 15

Which was Read and Assented to, and Signed, by Order of the House, by the Honourable Speaker.

Ordered, That Mr. Sulivane and Mr. Govane do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will please to receive it. They return and acquaint Mr. Speaker, That the p. 351 Governor signified he would receive it in a Quarter of an Hour in the Conference Chamber.

Ordered, That Mr. Benjamin Mackall, with Three more, do present the Address to his Excellency.

The following Message was sent to the Upper House by Mr. Matthew Tilghman and Mr. Dulany.

May it please your Honours,

As the Governor has been pleased to intimate to us his Desire to join both Houses in an Address of Condolance to his Majesty, to express the Sense we all have of the great Loss which he and his Subjects have sustained by the Death of our late most Gracious and Excellent Sovereign, and at the same Time to congratulate his Majesty on his happy Accession to the Throne of his Ancestors; and as we cannot doubt of your ready Concurrence therein, we have named Mr. Edward Tilghman, Mr. Matthew Tilghman, Mr. William Murdock, Mr. Walter Dulany, Dr. Steuart, and Mr. John Hammond, to join such Members as your Honours shall appoint, to form such Address, in order that it may be presented to his Excellency for his Approbation.

Signed p Order, John Allen Thomas, Cl. Lo. Ho.

The Order of the Day being Read; the House refers the Consideration of it till the Morrow Morning.

The House adjourns till the Morrow Morning 9 of the Clock.

April 16

Thursday, 16th April, 1761.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Mr. Purnell and Mr. Selby appear in the House.

Ordered, That Col. Scarborough and Mr. Harris do go with them to the Upper House, to see them Qualified. They return and acquaint Mr. Speaker, That they saw them Qualified in the usual Manner.

The Gentlemen took their Seats accordingly.

The House appoints Mr. John Goldsborough, Mr. Hanson, Mr. Gassaway, and Mr. Ringgold, a Committee to enquire what Laws will expire this Session.

John Ridout, Esq; from the Upper House, delivers to Mr. Speaker, the following Message:

By the Upper House of Assembly, April 16th, 1761.

L. H. J.
Liber No. 51
April 16
p. 352

Gentlemen,

In Answer to your Message of Yesterday by Messieurs Tilghman and Dulany, this House hath appointed Daniel Dulany, and Stephen Bordley, Esquires, to join the Members named by your House to draw up an Address to be presented to his Majesty.

Signed p Order, J. Ross, Cl. Up. Ho.

The House appointed Mr. Tilden, Mr. Bowman, Mr. King, and Mr. Benjamin Mackall, a Committee to examine into the State of the Assembly Office, and the other public Offices, and the Repository where the antient Records are kept, and report the same to the House.

The Order of the Day being Read; the House proceeds to take into Consideration the Subject-matter contained in his Excellency's Speech; and thereupon the Question was put, That the Number of Men to be raised and supported, agreeable to the Secretary of State's Letter, be 200. Resolved in the Negative.

For the Negative,

Hynson,	Sulivane,	King,
Ringgold,	Travers,	Beall,
Gassaway,	Govane,	Fraser,
Worthington,	Owings,	Dulany,
Hammond,	Baker,	E. Tilghman,
Hanson,	Mauldin,	M. Tilghman,
Stoddert,	Veazy,	Chapline,
Smallwood,	Murdock,	Magruder. [24]

For the Affirmative,

Sothoron,	J. Goldsborough,	Hopper,
Thomas,	Edmondson,	Harris,
Greenfield,	Bowman,	Scarborough,
Gresham,	Gibson,	Purnell,
Tilden,	C. Goldsborough,	Selby,
B. Mackall,	Cockey Deye,	Crabb.
Gantt,	Steuart,	[20]

On Motion, the Question was put, That the Number of Men to be raised and supported, agreeable to the Secretary of State's Letter, be 400. Resolved in the Affirmative.

For the Affirmative,

Hynson,	Sulivane,	Beall,
Ringgold,	Govane,	Fraser,

L. H. J.
Liber No. 51
April 16

Gassaway,
Worthington,
Hammond,
Hanson,
Stoddert,
Smallwood,

Owings,
Baker,
Mauldin,
Veazy,
Murdock,
King,

Dulany,
E. Tilghman,
M. Tilghman,
Chapline,
Magruder.

[23]

For the Negative,

Sothoron,
Thomas,
Greenfield,
Gresham,
Tilden,
B. Mackall,
Gantt,

J. Goldsborough,
Edmondson,
Bowman,
Gibson,
C. Goldsborough,
Cockey Deye,
Steuart,

Hopper,
Harris,
Scarborough,
Purnell,
Selby,
Crabb.

[20]

On Motion, Resolved, That this House will forthwith make a Provision for Raising, Cloathing and Paying, 400 Men, Commissioned and Non-Commissioned Officers included, for his Majesty's Service, agreeable to the Requisition of his Majesty's Secretary of State, and that they be continued in Pay Six Months.

Resolved, That the Sum of £8 Bounty-Money, be paid to each able-bodied Man that shall be enlisted by any Officer, and shall pass Muster, and shall serve under any Commanding Officer duly authorized; and that Twenty Shillings be paid to the Officer who shall enlist such able-bodied Man.

Resolved, That this House will, out of the first Supplies that shall be granted for his Majesty's Service, appropriate a Sum sufficient to repay the Money advanced in the Year 1758 by General Forbes, for the Pay, Victualling and Cloathing the Troops, formerly in the Pay of this Province, from the Time the Money granted for the Pay, Subsistence and Cloathing of the said Men, was expended, till the said Troops were taken into his Majesty's Service in the Year 1758 by General Forbes, so far as the same shall appear to be just and reasonable.

Resolved, That if it shall appear that General Forbes has not paid all the Money that accrued due for the Pay, Victualling and Cloathing of the said Men, from the Time the Money granted for that Purpose was expended, till the Time they were taken into his Majesty's Service, that then this House will make a Provision for what further Sum may be due for the Pay, Victualling and Cloathing of the said Men.

And it is further Resolved, That this House will, out of the first Supplies that shall be granted for his Majesty's Service, appropriate a Sum sufficient to pay the Money advanced by General

Forbes in 1758, for the Pay and Cloathing of the Troops formerly in the Pay of this Province, and by him taken into his Majesty's Service, from the Time those Troops entered into the said Service, to the End of the Campaign in 1758, so far as the same shall appear to this House to be just and reasonable.

L. H. J.
Liber No. 51
April 16

Resolved, That this House will make provision for such of the Inhabitants of this Province who have, in Consequence of the Governor's Request, marched from any of the Counties of this Province, for the Defence of the Frontiers thereof, since the March of General Braddock from Frederick-Town in Frederick County, or have Garrisoned the Forts of this Province since the Forces which have been raised by this Province, were taken by General Forbes from the said Forts into his Majesty's Service. And also that this House will make Provision for paying such Persons as have supplied Provisions and other Necessaries for the use of the said Men, who have marched as aforesaid, or Garrisoned the said Forts, and for the Expence of the Carriage of such Provisions and other Necessaries.

Resolved, That such Provision be, by the Appropriation of a Sum sufficient for the said Purposes, out of the first Supplies which shall be granted for his Majesty's Service.

Resolved also, That out of the said Supplies, the following Sums shall be appropriated, viz.

A sufficient Sum to reimburse such Persons as have been necessarily put to Expence on Account of enter[tain]ing his Majesty's Troops in Caecil, Kent and Anne-Arundel Counties.

A Sum not exceeding Two Hundred and Fifty Pounds, for clearing a Road from Fort Frederick to Fort Cumberland, thro' this p. 355 Province, for his Majesty's Service.

On Motion, the Question was put, That a Sum of Money necessary for defraying the Expence of the foregoing Purposes, be raised by an equal Assessment on all Estates, Real and Personal, and Lucrative Offices and Employments. Resolved in the Affirmative.

For the Affirmative,

Hynson,	Smallwood,	Murdock,
Ringgold,	Sulivane,	King,
Gassaway,	Cockey Deye,	Beall,
Worthington,	Govane,	Fraser,
Hammond,	Owings,	E. Tilghman,
Gantt,	Baker,	M. Tilghman,
Hanson,	Mauldin,	Chapline,
Stoddert,	Veazy,	Magruder. [24]

L. H. J. Liber No. 51 April 16	For the Negative,	C. Goldsborough, Harris, Scarborough, Purnell, Selby, Crabb.
	Sothoron,	Edmondson,
	Thomas,	Bowman,
	Greenfield,	Gibson,
	Gresham,	Travers,
	Tilden,	Dulany,
	B. Mackall,	Steuart,
	J. Goldsborough,	Hopper,

[20]

On Motion, Leave was given to bring in a Bill, for raising a Sum of Money necessary for defraying the Expence of raising Men for his Majesty's Service, and other Purposes;

Resolved, That Mr. Edward Tilghman, Mr. Matthew Tilghman, Mr. Hammond, Mr. Murdock, and Mr. Ringgold, do prepare and bring in a Bill for the same.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

Col. Travers hath Leave of Absence.

On Motion, Leave was given to bring in a Bill, for the Preservation of the Breed of Fish in the river Susquehanna; Ordered, That Mr. Maker, Mr. Dulany, Mr. Charles Goldsborough, and Col. Scar-
p. 356 borough, do prepare and bring in the same.

John Ridout, Esq; from the Upper House, delivers to Mr. Speaker the Petition of Henry Watts, Indorsed, By the Upper House of Assembly, 16th of April, 1761. Read and Referred to the Consideration of the Lower House of Assembly; which said Petition was here Read, and ordered to lie on the Table.

Ordered, That Mr. Murdock, Mr. Matthew Tilghman, Mr. Magruder, and Mr. Gassaway, be a Committee to make an Estimate of the particular Sums necessary to be raised, for answering the Purposes of the Resolves of this House this Day made, relative to his Majesty's Service, and other Purposes.

By the Committee appointed to make an Estimate of the particular Sums necessary to be raised for answering the Purposes of the Resolves of the Honourable House this Day, relative to his Majesty's Service, and other Purposes.

The following is humbly submitted for Consideration.

Bounty-Money for 384 Men at £8 p Man.....	£3072	0 0
Inlisting-Money for Ditto at 20 s. p.....	384	0 0
Cloathing for Ditto, consisting of a Coat, a Flannel Jacket, a Pair of Breeches, 2 Pair of Stockings, 2 Shirts, a Hat, and 1 Pair of Shoes each, at £4 p Man,.....	} 1536	0 0

Blankets for 384 Men 1 for each.....	288	o o	L. H. J.
Pay of 4 Captain 30 Days at 10 s. p.....	60	o o	Liber No. 51 April 16
8 Lieutenants at 6/8 p.....	80	o o	
4 Ensigns at 5 s. p.....	30	o o	
16 Sergeants at 1/6 p.....	36	o o	
16 Corporals at 1/2 p.....	28	o o	
4 Drummers at 1/2.....	7	o o	
348 Private Men at 9 d. p.....	391	10 0	
5 Months Pay added.....	3162	10 0	
Subsistence for the above Month, if thought necessary,	440	o o	
For reimbursing the Money advanced by General Forbes to Mr. Ross, for Victualling the Soldiers that had been enlisted in the Service of this Province, and the Money he advanced the said Men, the Payment of the Arrears due to them, and other Charges that have accrued on their Accounts,	14000	o o	p. 357
To Quartering 500 Soldiers in Annapolis during the Winter 1757,	1500	o o	
Ditto in Kent and Cæcil Counties during the Winter 1756 and 1757, according to the gross Amount of the Accounts delivered in, about.....	1400	o o	
For defraying the Expences of the several Companies of Volunteers sent to the Frontiers at different Times,	6000	o o	
For clearing a Road from Fort Frederick to Fort Cumberland, thro' this Province, for his Majesty's Service,	250	o o	
<hr/>			£32665 o o

William Murdock,
Matthew Tilghman,
Nathan Magruder.

Mr. Carroll appeared in the House.

Ordered, That Mr. Murdock and Dr. Stuart do go with Mr. Carroll to the Upper House, to see him Qualified. They return and acquaint Mr. Speaker, They saw him Qualified in the usual Manner.

The Gentleman took his Seat accordingly.

The House adjourns till the Morrow Morning 9 of the Clock.

L. H. J.
Liber No. 51
April 17

Friday, 17th April, 1761.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Ordered, That Mr. Carroll be added to the Committee for preparing and bringing in a Bill for his Majesty's Service, and other Purposes.

Mr. Edward Tilghman, Mr. Matthew Tilghman, and Mr. Govane, have Leave of Absence till Monday.

p. 358 On Motion, Ordered, That Mr. Govane, Mr. Dulany, Mr. Charles Goldsborough, and Mr. Hammond, be a Committee to enquire into the Facts contained in the Petition of Mary Stansbury, Executrix of Tobias Stansbury, late of Baltimore County, deceased, referred last Session, and to make Report thereof accordingly.

On Motion, Ordered, That Mr. Hammond, Mr. Charles Goldsborough, Mr. Carroll, Mr. Edward Tilghman, Mr. Matthew Tilghman, and Mr. Murdock, be appointed a Committee to enquire by what Right the Lord Proprietary receives and converts to his own Use, the Fines and Forfeitures not expressly granted by Act of Assembly, and also to enquire into the usual Method of obtaining Replevins in England, and that they report their Opinion of both the said Matters to the House.

On Motion, the House appointed Mr. Richard Tilghman, Third, and Mr. William Wilkins, as Clerk to attend the several Committees who may be appointed to draw and prepare Bills for the Consideration of the House.

Ordered, That they be Qualified in the usual Form.

Dr. Steuart acquaints Mr. Speaker, That Mr. Richard Tilghman, (Third), and Mr. William Wilkins, had taken the several Oaths to the Government required by Law, subscribed the Oath of Abjuration, repeated and signed the Test, and severally took the Oath of Office.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

Mr. Owings hath Leave of Absence till Monday.

The House adjourns till the Morrow Morning 9 of the Clock.

April 18

Saturday, 18th April, 1761.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Mr. E. Tilghman, and Col. Travers. The Proceedings were read.

Mr. Gantt, Mr. Magruder, Mr. Crabb, Mr. Beall and Mr. Gresham, have Leave of Absence till Monday.

The Petition of Henry Watts, a maimed Soldier, was Read and
Referred to the next Session of Assembly.

L. H. J.
Liber No. 51
April 18
p. 359

The House appoints Mr. Dulany and Dr. Steuart a Committee to
enquire into the Allegations and Facts contained in the Petition of
William and Mary Clajon, Executors of the last Will and Testa-
ment of Gamaliel Butler, late of the City of Annapolis, deceased,
and make Report thereof accordingly.

Mr. Gale and Mr. Wilson appear in the House.

Ordered, That Dr. Steuart and Mr. Edmondson do go with them
to the Upper House, to see them Qualified. They return and acquaint
Mr. Speaker, they saw them Qualified in the usual Manner.

The Gentlemen took their Seats accordingly.

Mr. Govane, from the Committee to examine into the Petition of
Mary Stansbury, Widow of Tobias Stansbury, delivered to Mr.
Speaker, the following Report:

By the Committee appointed to examine into the Facts set forth
in the Petition of Mary Stansbury, Widow, Administratrix, with the
Will annexed, of Tobias Stansbury, late of Baltimore County,
deceased.

Your Committee having carefully examined into the Allegations
contained in the said Petition, do find, by an Account passed by the
Deputy Commissary of Baltimore County, and lodged in the Pre-
rogative Office, that the said Petitioner has fully Administered her
deceased Husband's Estate, and over paid the same; and that there
still remain several large Sums of Money and Tobacco due from the
said Deceased on Bonds and otherwise.

Which is humbly submitted to the Consideration of the Honour-
able House.

Signed p Order, B. Nicholson, Clerk.

18th April, 1761.

On Reading the Report aforesaid, the House concurs therewith,
and Leave was given to bring in a Bill accordingly.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

The House adjourns till Monday Morning 9 of the Clock.

Monday, 20th April, 1761.

April 20

The House met according to Adjournment: The Members were p. 360
called, and all appeared as on Saturday, except Mr. Govane and Mr.
Murdock. The Proceedings were Read.

Mr. Dorsey appeared in the House.

L. H. J.
Liber No. 51
April 20

Ordered, That Mr. King and Mr. Cockey Deye do go with Mr. Dorsey to the Upper House, to see him Qualified. They return and acquaint Mr. Speaker, That they saw him Qualified in the usual Manner.

The Gentleman took his Seat accordingly.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

Resolved, That the Committee of Accounts receive no Accounts against the Public after Wednesday next; and that the Journal of Accounts be closed on Thursday next.

Mr. Edward Tilghman appeared in the House.

Stephen Bordley, Esq; from the Upper House, delivers to Mr. Speaker, the Petition of James Hollyday; Indorsed, By the Upper House of Assembly, 20th April, 1761. Read and Referred to the Consideration of the Lower House of Assembly; which said Petition was here Read, and Ordered to lie on the Table.

The House adjourns till the Morrow Morning 9 of the Clock.

April 21

Tuesday, 21st April, 1761.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Mr. Fraser, who hath Leave of Absence.

Mr. Murdock appears in the House.

Col. Hopper hath Leave of Absence.

Mr. Tilden hath Leave of Absence.

Mr. John Goldsborough brings in and delivers to Mr. Speaker, the following Report, viz.

April 21st 1761

By the Committee appointed by the Honourable the Lower House of Assembly to enquire what Laws will expire this Session,

Your Committee do find, that the following Laws will expire at the End of this Session:

p. 361 An Act, entituled, An additional and explanatory Act to the Act, entituled, An Act empowering the Commissioners of the County Courts to levy and raise Tobacco, to defray the necessary Charges of their Counties and Parishes, made at a Session of Assembly begun and held at the City of Annapolis, 10th Day of May, 1748.

An Act, entituled, An Act for destroying Wolves in Frederick County, made at a Session of Assembly begun and held at the City of Annapolis, 15th Day of May, 1751.

An Act, entituled, An Act to prevent certain Evils and Inconveniences attending the Sale of strong Liquors, and running of

Horse-Races, near the yearly meeting of the People called Quakers; and to prevent the tumultuous Concourse of Negroes and other Slaves during the said Meetings, made at a Session of Assembly begun and held at the City of Annapolis the 16th Day of May, 1747; and also one other Act, entituled, An Act to amend and explain an Act, entituled, An Act to prevent certain Evils and Inconveniencies attending the Sale of strong Liquors, and running of Horse-Races, near the yearly Meetings of the People called Quakers; and to prevent the tumultuous Concourse of Negroes and other Slaves during the said Meetings, made at a Session of Assembly begun and held at the City of Annapolis the 3d Day of June, 1752.

L. H. J.
Liber No. 51
April 21

An Act, entituled, An Act for Punishment of Horse-Stealers, and other Offenders, made at a Session of Assembly begun and held at the City of Annapolis the 1st Day of May, 1744.

An Act, entituled, A Supplementary Act to an Act, entituled, An Act laying an Imposition on Negroes and several Sorts of Liquors imported, and also on Irish Servants, to prevent the Importing too great a Number of Irish Papists into this Province, made at a Session of Assembly begun and held at the City of Annapolis the 20th Day of March, 1734.

An Act, entituled, An Act to enable the several and respective County Clerks within this Province, to remove some of the County Records and Papers from the Public Offices, made at a Session of Assembly begun and held at the City of Annapolis, 10th Day of May, 1748.

An Act, entituled, An Act for the more effectual Punishment of certain Offenders, and for taking from them the Benefit of Clergy, made at a Session of Assembly begun and held at the City of Annapolis the 26th Day of April, 1737.

An Act, entituled, An additional Supplementary Act to the Act, entituled, An Act relating to Servants and Slaves, made at a Session of Assembly begun and held at the City of Annapolis the 10th Day of May, 1748.

An Act, entituled, An Act for the more effectual Punishment of Negroes and other Slaves; and for taking away the Benefit of Clergy from certain Offenders! and a Supplementary Act to an Act, entituled, An Act to prevent the tumultuous Meeting and other Irregularities of Negroes and other Slaves, and directing the Manner of trying Slaves, made at a Session of Assembly begun and held at the City of Annapolis the 15th Day of May, 1751.

An Act, entituled, An Act to exempt Persons appearing at Musters from Arrests in Civil Cases, made at a Session of Assembly begun and held at the City of Annapolis the 10th Day of May, 1748.

An Act, entituled, An Act to make the Testimony of convicted Persons legal against convicted Persons, made at a Session of

L. H. J. Assembly begun and held at the City of Annapolis the 15th Day of
 Liber No. 51 May, 1751.
 April 21

An Additional Supplementary Act to the Act, entituled, An Act for issuing and taking out of the Office of the Commissioners or Trustees appointed for emitting Bills of Credit, established by Act of Assembly, the Sum of Four Thousand Five Hundred Pounds Current Money, for Encouragement of such able-bodied Freemen as shall voluntarily enlist themselves into his Majesty's Service for p. 363 the intended Expedition against Canada, and for maintaining and conveying them to the Place of Rendezvous; and also for replacing of the said Sum, and for the better regulating Ordinaries and Ordinary-Keepers, and for other Purposes therein mentioned, made at a Session of Assembly begun and held at the City of Annapolis the 28th Day of September, 1757.

An Act to make it Penal to forge or counterfeit the Bills of Credit of Virginia, Pennsylvania, New-York, East or West Jerseys, or the Three Lower Counties on Delaware, called New-Castle, Kent, and Sussex, or to utter or tender the same in Payment within this Province, knowing them to be such, made at a Session of Assembly begun and held at the City of Annapolis the 28th Day of March, 1758.

An Act relating to Guardians and Orphans, made at a Session of Assembly begun and held at the City of Annapolis the 28th Day of March, 1758.

An Act, entituled, An Act to repeal Part of an Act, entituled, An Act repealing Part of an Act laying an Imposition on Negroes and several Sorts of Liquors imported, and also on Irish Servants, to prevent the Importing too great a Number of Irish Papists into this Province; and to lay a Duty on Rum, Spirits, Wine and Brandy, imported into this Province from Pennsylvania, or the Three Lower Counties on Delaware, called New-Castle, Kent, and Sussex, made at a Session of Assembly begun and held at the City of Annapolis the 28th Day of March, 1758.

And your Committee take Leave to inform the Honourable House, that an Act, entituled, An Act for the speedy and effectual Publication of the Laws of this Province, and for the Encouragement of Jonas Green, of the City of Annapolis, Printer, made at a Session of Assembly begun and held at the City of Annapolis the 22d Day of March, 1760, did expire the 2d Day of this Instant April.

All which is humbly submitted to the Consideration of the Honourable House.

(Signed 'p Order), B. Nicholson, Clerk.

p. 364 Mr. Tilden hath leave of Absence.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

On Reading the Petition of James Hollyday a second Time; Ordered, That Mr. Hanson, Mr. Charles Goldsborough, and Mr. Hynson, be a Committee to enquire into the Facts set forth in the said Petition.

John Ridout, Esq; from the Upper House, delivers to Mr. Speaker, the Petition of sundry Inhabitants of Dorchester County, for Erecting a Warehouse in Vienna Town on Nanticoke River [thus Indorsed, By the Upper House of Assembly, April 21st, 1761. Read and Referred to the Consideration of the Lower House of Assembly.

Signed p Order, J. Ross, Cl. Up. Ho.]

Also a Petition from the Inspectors at Elk-Ridge Landing, [thus Indorsed, By the Upper House of Assembly, April 21st, 1761. Read and Referred to the Consideration of the Lower House of Assembly.

Signed p Order, J. Ross, Cl. Up. Ho.]

Also a Petition from sundry Inhabitants of Chester-Town, [thus Indorsed, April 21st, 1761. By the Upper House of Assembly, Read and Referred to the Consideration of the Lower House of Assembly.

Signed p Order, J. Ross, Cl. Up. Ho.]

Also a Petition from the Rector, Vestrymen, and Church-wardens of St. Stephen's Parish in Cæcil County, [thus Indorsed, April 21st, 1761. By the Upper House of Assembly, Read and Referred to the Consideration of the Lower House of Assembly.

Signed p Order, J. Ross, Cl. Up. Ho.]

Which were severally Read, and Ordered to lie on the Table.

On Reading the Petition of sundry Inhabitants of Dorchester County a second Time; Ordered, That Mr. Charles Goldsborough, Mr. Wilson, and Mr. Sulivane, do bring in a Bill for the Purposes mentioned in the said Petition.

Mr. Gale hath Leave of Absence.

Mr. Hanson brings in the following Report.

By the Committee appointed to enquire into the Truth of the Facts set forth in the Petition of Mr. James Hollyday.

Your Committee, in Obedience to the Directions of the House, have examined into the several Facts set forth in the said Petition, and find the same to be true.

All which is humbly submitted to the Consideration of the Honourable House.

Signed p Order, B. Nicholson, Clerk.

The House adjourns till the Morrow Morning 9 of the Clock.

L. H. J.
Liber No. 51
April 21

L. H. J.
Liber No. 51
April 22
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Wednesday, 22^d April, 1761.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Col. Hopper and Mr. Tilden. The Proceedings were Read.

On Reading a second Time, the Report from the Committee appointed to examine into the Facts contained in the Petition of James Hollyday, Esq; the House concurs therewith.

Ordered, That Mr. Hanson, Mr. Charles Goldsborough, and Mr. Hynson, bring in a Bill accordingly.

On Reading the second Time, the Report from the Committee appointed to enquire what Laws expire after this Session; Ordered, That Mr. John Goldsborough, Mr. Ringgold, Mr. Gassaway, and Mr. Hanson, do prepare and bring in Bills to continue the several Acts therein mentioned.

On Motion, the previous Question was put, That the following Question be now put, viz. That the Committee appointed to join the Members of the Upper House in the Forming an Address of Condolance and Congratulation to his Majesty, be instructed to propose in Addition to a Form offered in that Committee by the Gentlemen of the Upper House, the following, viz. But may it please your Majesty kindly to indulge us, destitute as we are of the proper Means of obtaining Access to the Throne, while we make Use of this Opportunity of humbly expressing our Concern, that this Province has, during the present just and necessary War, in so small a Degree exerted its Force, for the Service of our late most gracious Sovereign, and our Confidence that until a full Enquiry be made into the Causes thereof (which we most earnestly desire) and the People shall be permitted to raise a Support for an Agent, who may by all their Grievances which they suffer under the Government of the Lord Proprietary, properly before your Majesty, you will be graciously pleased to continue that favourable Opinion, which we hope you have hitherto maintained of your Protestant Commons of the Province of Maryland; than whom, permit us, Royal Sir, to say, your Majesty has not, in all your Dominions, Subjects more Loyal, more hearty well-wishers to our present happy Establishment, or more firmly or affectionately attached to your most sacred Person and Government: Or something of the same Nature, preserving the Substance thereof. Resolved in the Affirmative.

p. 366

For the Affirmative,

Sothonor,	Gantt,	Baker,
Hynson,	Hanson,	Mauldin,
Ringgold,	Stoddert,	Murdock,
Gassaway,	Smallwood,	King,

Worthington,	E. Tilghman,	Beall,	L. H. J.
Carroll,	Cockey Deye,	Selby,	Liber No. 51
Hammond,	Owings,	Chapline,	April 22
B. Mackall,	Dorsey,	Magruder.	[24]

For the Negative,

Thomas,	Edmondson,	Steuart,
Greenfield,	Bowman,	Harris,
Gresham,	Gibson,	Scarborough,
Gale,	Sulivane,	Purnell,
Wilson,	C. Goldsborough,	Crabb.
J. Goldsborough,	Dulany,	[17]

And thereupon the Question was put, That the Committee appointed to join the Members of the Upper House in the forming an Address of Condolance and Congratulation to his Majesty, be instructed to propose in Addition to a Form offered in that Committee by the Gentlemen of the Upper House, the following, viz: But may it please your Majesty kindly to indulge us, destitute as we are of the proper Means of obtaining Access to the Throne, while we make Use of this Opportunity of humbly expressing our Concern that this Province has, during the present just and necessary war, in so small a Degree exerted it's Force for the Service of our late most gracious Sovereign, and our Confidence that until a full Enquiry be made into the Causes thereof (which we most earnestly desire) and the People shall be permitted to raise a Support for an Agent, who may lay all their Grievances which they suffer under the Government of the Lord Proprietary, properly before your Majesty, you will be graciously pleased to continue that favourable Opinion, which, we hope, you have hitherto maintained of your Protestant Commons of the Province of Maryland; than whom, permit us, Royal Sir, to say, your Majesty has not, in all your Dominions, Subjects more Loyal, more hearty Well-wishers to our present happy Establishment, or more firmly or affectionately attached to your most Sacred Person and Government: Or something of the same Nature, preserving the Substance thereof. Resolved in the Affirmative.

p. 367

For the Affirmative,

Sothonor,	Gantt,	Mauldin,
Hynson,	Hanson,	Murdock,
Ringgold,	Stoddert,	King,
Gassaway,	Smallwood,	Beall,
Worthington,	Cockey Deye,	E. Tilghman,
Carroll,	Owings,	Selby,
Hammond,	Dorsey,	Chapline,
B. Mackall,	Baker,	Magruder.
		[24]

L. H. J. Liber No. 51 April 22	For the Negative,	
Thomas,	Edmondson,	Steuart,
Greenfield,	Bowman,	Harris,
Gresham,	Gibson,	Scarborough,
Gale,	Sullivan,	Purnell,
Wilson,	C. Goldsborough,	Crabb.
J. Goldsborough,	Dulany,	

[17]

On Reading the Petition a second Time of the Vestrymen and Church Wardens of St. Stephen's Parish, Ordered, That Mr. Baker, Mr. Mauldin, Mr. Ringgold and Mr. Wilson, do prepare and bring in a Bill accordingly.

On Reading a second Time the Petition of the Inhabitants of Chester-Town; Ordered, That Mr. Ringgold, Mr. Hynson, and Mr. Gresham, do prepare and bring in a Bill accordingly.

On Reading a second Time the Petition of the Inspectors at Elk-Ridge Landing; Ordered, That Mr. Hammond, Mr. Carroll, Mr. Gassaway, and Mr. Worthington, do prepare and bring in a Bill accordingly.

On Reading the Petition of All Saints Parish, Frederick County, the same was rejected.

The House adjourns till the Morrow Morning 9 of the Clock.

April 23

Thursday, 23^d April, 1761.

p. 368 The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Mr. Gale. The Proceedings were Read.

Mr. Hanson brings in and delivers to Mr. Speaker, a Bill, entituled, An Act to enable James Hollyday, legal Representative of James Hollyday, Esq; Deceased, late Treasurer of the Eastern Shore, to draw Bills for the Money therein mentioned; which was Read the first Time, and Ordered to lie on the Table.

Mr. Sullivan hath Leave of Absence.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

Mr. Govane appears in the House.

Mr. John Goldsborough, Mr. Thomas, Mr. Wilson, and Mr. Charles Goldsborough, have Leave of Absence.

Mr. Matthew Tilghman appears in the House.

Mr. John Goldsborough brings in and delivers to Mr. Speaker, the following Bills:

A Bill, entituled, An Act continuing an Act, entituled, An Additional Supplementary Act to the Act, entituled, An Act for issuing

and taking out of the Office of the Commissioners or Trustees appointed for emitting Bills of Credit, established by Act of Assembly, the Sum of £4500 Current Money for Encouragement of such able-bodied Freemen as shall voluntarily enlist themselves into his Majesty's Service for the intended Expedition against Canada, and for maintaining and conveying them to the Place of Rendezvous; as also in replacing the said Sum, and for the better regulating Ordinaries and Ordinary-Keepers, and for other Purposes therein mentioned.

L. H. J.
Liber No. 51
April 23

A Bill, entituled, An Act continuing an Act to make the Testimony of convicted Persons legal against convicted Persons.

A Bill, entituled, An Act continuing an Act to exempt Persons appearing at Musters from Arrests in Civil Cases.

A Bill, entituled, An Act continuing an Act for the more effectual Punishment of Negroes and other Slaves, and for taking away the Benefit of Clergy from certain Offenders; and a Supplementary Act to an Act, entituled, An Act to prevent the tumultuous Meetings and other Irregularities of Negroes and other Slaves, and directing the Manner of trying Slaves. p. 369

A Bill, entituled, An Act contining an Act, entituled, An Additional Supplementary Act to the Act, entituled, An Act relating to Servants and Slaves.

A Bill, entituled, An Act continuing an Act, entituled, An Act for the more effectual Punishment of certain Offenders, and for taking from them the Benefit of Clergy.

A Bill, entituled, An Act continuing an Act to enable the several and respective County Clerks within this Province, to remove some of the County Records and Papers from the Public Offices.

A Bill, entituled, An Act continuing an Act, entituled, A Supplementary Act to an Act, entituled, An Act laying an Imposition on Negroes and several Sorts of Liquors imported, and also on Irish Servants, to prevent the importing too great a Number of Irish Papists into this Province.

A Bill, entituled, An Act continuing an Act, entituled, An Act for Punishment of Horse-Stealers, and other Offenders.

A Bill, entituled, An Act continuing an Act to prevent certain Evils and Inconveniencies attending the Sale of strong Liquors, and running of Horse-Races, near the yearly Meetings of the People called Quakers; and to prevent the tumultuous Concourse of Negroes and other Slaves during the said Meetings; and also one other Act, entituled, An Act to amend and explain an Act, entituled, An Act to prevent certain Evils and Inconveniencies attending the Sale of strong Liquors, and running of Horse-Races, near the yearly Meetings of the People called Quakers; and to prevent the tumultuous Concourse of Negroes and other Slaves during the said Meetings.

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April 23

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A Bill, entituled, An Act continuing an Act, entituled, An Act for destroying Wolves in Frederick County.

A Bill, entituled, An Act continuing and Act, entituled, An additional and explanatory Act to the Act, entituled, An Act empowering the Commissioners of the County Courts to levy and raise Tobacco, to defray the necessary Charges of their Counties and Parishes.

Which were severally Read, and Ordered to lie on the Table.

Mr. Gassaway brings in and delivers to Mr. Speaker, the following Bills:

A Bill, entituled, An Act continuing an Act, entituled, An Act to repeal Part of an Act, entituled, An Act repealing Part of an Act laying an Imposition on Negroes and several Sorts of Liquors imported, and also on Irish Servants, to prevent the Importing too great a Number of Irish Papists into this Province; and to lay a Duty on Rum, Spirits, Wine and Brandy, imported into this Province from Pennsylvania, or the Three Lower Counties on Delaware, called New-Castle, Kent, and Sussex.

A Bill, entituled, An Act continuing an Act to make it Penal to forge or counterfeit the Bills of Credit of Virginia, Pennsylvania, New-York, East or West Jerseys, or the Three Lower Counties on Delaware, called New-Castle, Kent, and Sussex, or to utter or tender the same in Payment within this Province, knowing them to be such.

A Bill, entituled, An Act continuing an Act relating to Guardians and Orphans.

Which were severally Read, and Ordered to lie on the Table.

On Motion, Leave was given to bring in a Bill for Encouraging a Collection and Publication of the Laws of this Province:

Ordered, That Mr. Dulany, Dr. Steuart, and Mr. Matthew Tilghman, do prepare and bring in the same.

The House adjourns till the Morrow Morning 9 of the Clock.

April 24

Friday, 24th April, 1761.

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The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Mr. John Goldsborough, Mr. Charles Goldsborough, Mr. Sulivane, and Mr. Thomas. The Proceedings were Read.

On Motion, Leave was given to bring in a Bill for Trial of all Matters of Fact, &c.

Ordered, That Mr. Edward Tilghman, Mr. Wilson, Mr. Hanson, Mr. Smallwood, and Mr. Gresham, do prepare and bring in a Bill accordingly.

On Motion, Leave was given to bring in a Bill for Establishing a College within this Province :

L. H. J.
Liber No. 51
April 24

Ordered, That Mr. Edward Tilghman, Mr. Matthew Tilghman, Mr. Hanson, Mr. Carroll, Mr. Hammond, Mr. Murdock, and Mr. Dulany, do prepare and bring in a Bill accordingly.

Mr. Ringgold brings in and delivers to Mr. Speaker, a Bill, entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and for defraying the Expences heretofore incurred for the Defence and Security of the Frontier Inhabitants of this Province, and for other Purposes therein mentioned; and for raising the same by an equal Assessment on all Estates, Real and Personal, and Lucrative Offices and Employments; which was Read the first Time, and Ordered to lie on the Table.

On Motion, the Question was put, That a Bill, entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and for defraying the Expences heretofore incurred for the Defence and Security of the Frontier Inhabitants of this Province, and for other Purposes therein mentioned; and for raising the same by an equal Assessment on all Estates Real and Personal, and Lucrative Offices and Employments, be Read a second Time immediately after the calling of the House To-morrow Morning. Resolved in the Affirmative.

For the Affirmative,

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Sothoron,	Stoddert,	King,
Greenfield,	Smallwood,	Beall,
Hynson,	Cockey Deye,	E. Tilghman,
Gassaway,	Owings,	M. Tilghman,
Carroll,	Baker,	Chapline,
Hammond,	Mauldin,	Magruder.
B. Mackall,	Murdock,	

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For the Negative,

Gresham,	Gibson,	Purnell,
Gant,	Steuart,	Selby.
Edmondson,	Harris,	
Bowman,	Scarborough,	

[10]

Mr. Govane brings in and delivers to Mr. Speaker, a Bill, entituled, An Act to impower Mary Stansbury, Widow and Administratrix of Tobias Stansbury, late of Baltimore County, Deceased, to sell the Lands therein mentioned, for the Payment of the Debts of the said Tobias Stansbury; which was Read, and Ordered to lie on the Table.

The House adjourns till 2 of the Clock Afternoon.

L. H. J.
Liber No. 51
April 24

Post-Meridiem. The House met according to Adjournment.
Mr. Gassaway brings in and delivers to Mr. Speaker, a Bill, entituled, An Act to augment the Salaries of the Inspectors at Elk-Ridge Landing Warehouse, in Anne Arundel County, and for other Purposes therein mentioned.

Mr. Baker brings in and delivers to Mr. Speaker, a Bill, entituled, An Act to preserve the Breed of Fish in the River Susquehanna.

Mr. Dulany, from the Committee to Inspect the Accounts and Proceedings of the Commissioners or Trustees for Emitting Bills of Credit, established by Act of Assembly, brings in and delivers to Mr. Speaker, the following Report.

Maryland ss.^t

By a Committee of both Houses of Assembly, appointed to Inspect the Office and Proceedings of the Commissioners or Trustees for Emitting Bills of Credit, established by Act of Assembly, April 23d, 1761.

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Were Present,

The Honourable Benedict Calvert, Esq; of the Upper House.

Mr. Walter Dulany,	} of the Lower House.
Mr. Brice T. B. Worthington,	
Mr. John Hanson, junior,	
Mr. Josias Beall, junior,	
Mr. John Trueman Stoddert,	
Mr. Thomas Ringgold.	

Who make Choice of and Appoint the Honourable Benedict Calvert, Esq; Chairman; and Robert Carter their Clerk; and agree to make the following Report: [*This report is printed in full in the Upper House Journal, pp. 412-419*]

p. 380

Which was Read the first and second Time; and thereupon Resolved, That Mr. Dulany, Mr. Worthington, Mr. Hanson, Mr. Beall, Mr. Stoddert, and Mr. Ringgold, be a Committee to enquire into the Securities given by the several Naval Officers of this Province; as also to enquire into the Security given by Philip Lee, Esq; late Naval Officer of Potowmack District, and likewise to report who was Naval Officer of Pocomoke, and who were his Securities in the Year 1755, and report the same to the House.

On Motion, Leave was given to bring in a Bill, entituled, A Supplementary Act to the Act, entituled, An Act for the Quieting Possessions, Enrolling Conveyances, and Securing the Estates of Purchasers.

Ordered, That Mr. Ringgold, Mr. Carroll, and Mr. Edward Tilghman, do prepare and bring in the same.

On Motion, Leave was given to bring in a Bill to raise a Fund for the Support of an Agent:

Ordered, That Mr. Edward Tilghman, Mr. Hanson, and Mr. Hammond, do prepare and bring in the same.

A Bill, entituled, An Act to preserve the Breed of Fish in the River Susquehanna, was Read the first Time, and Ordered to lie on the Table.

The House adjourns till the Morrow Morning 9 of the Clock.

Saturday, 25th April, 1761.

April 25

The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Mr. Wilson. The Proceedings were Read.

Ordered, That the Committee appointed to join the Members of the Upper House in the Drawing of an Address to his Majesty, do report to this House the whole Transactions of that Committee in Relation thereto.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

The Bill, entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and for defraying the Ex- pences heretofore incurred for the Defence and Security of the Frontier Inhabitants of this Province, and for other Purposes therein mentioned; and for raising the same by an equal Assessment on all Estates Real and Personal, and Lucrative Offices and Employments, was Read the second Time; and thereupon the Question was put, That the same do Pass. Resolved in the Affirmative.

For the Affirmative,

Hynson,	Stoddert,	Murdock,
Ringgold,	Smallwood,	King,
Gassaway,	Cockey Deye,	Beall,
Worthington,	Govane,	E. Tilghman,
Carroll,	Owings,	M. Tilghman,
Hammond,	Dorsey,	Chapline,
Gantt,	Baker,	Magruder.
Hanson,	Mauldin,	

[23]

For the Negative,

Greenfield,	Gibson,	Purnell,
Gresham,	Dulany,	Selby,
B. Mackall,	Steuart,	Crabb.
Edmondson,	Harris,	
Bowman,	Scarborough,	

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L. H. J.
Liber No. 51
April 24

L. H. J.
Liber No. 51
April 25

Mr. Edmondson, Mr. Bowman, Mr. Benjamin Mackall, and Mr. King, have Leave of Absence till Tuesday.

Mr. Gresham and Mr. Beall have Leave of Absence till Monday.

Mr. Matthew Tilghman brings in and delivers to Mr. Speaker, a Bill, entitled, An Act for Encouraging a Collection and Publication of the Laws of this Province; Read the first Time, and Ordered to lie on the Table.

A Bill, entitled, An Act continuing an Act, entitled, An Act to repeal Part of an Act, entitled, An Act repealing Part of an Act laying an Imposition on Negroes and several Sorts of Liquors imported, and also on Irish Servants, to prevent the Importing too great a Number of Irish Papists into this Province; and to lay a Duty on Rum, Spirits, Wine and Brandy, imported into this Province p. 382 from Pennsylvania, or the Three Lower Counties on Delaware, called New-Castle, Kent, and Sussex, was Read the second Time, and will not Pass.

Ordered, That Mr. Matthew Tilghman and Mr. Govane do carry the Bill for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and for defraying the Expences heretofore incurred for the Defence and Security of the Frontier Inhabitants of this Province, and for other Purposes therein mentioned; and for raising the same by an equal Assessment on all Estates Real and Personal, and Lucrative Offices and Employments, to the Upper House. They return and acquaint Mr. Speaker, That they saw a Member of the Upper House on the Hill, who told them, that their House was adjourned.

The House adjourns till Monday Morning 9 of the Clock.

April 27

Monday, 27th April, 1761.

The House met according to Adjournment: The Members were called, and all appeared as on Saturday, except Mr. Sothonor, Mr. Thomas, Mr. Gresham, Mr. Edmondson, Mr. Bowman, Mr. Benjamin Mackall, and Mr. King. The Proceedings were Read.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker, the Petition of Evan Shelby; Read the first Time, and Ordered to lie on the Table.

Ordered, That Mr. Gantt and Mr. Owings do carry to the Upper House the Bill, entitled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and for defraying the Expences heretofore incurred for the Defence and Security of the Frontier Inhabitants of this Province, &c. They return and acquaint Mr. Speaker, They delivered the Bill to the Upper House.

Col. Travers appears in the House.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker, the Petition of Elisha Perkins, John Woolgemut, and William Clermons; Read the first Time, and Ordered to lie on the Table.

Resolved, That the Account of Excise from Queen-Anne's County, is not agreeable to the Directions of an Act of Assembly for granting a Supply of Forty Thousand Pounds for his Majesty's Service, &c.

L. H. J.
Liber No. 51
April 27

p. 383

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

Stephen Bordley, Esq; from the Upper House, delivers to Mr. Speaker, a Bill, entituled, An Act for granting a Supply of Forty Thousand Pounds for his Majesty's Service, and for defraying the Expences heretofore incurred for the Defence and Security of the Frontier Inhabitants of this Province, and for other Purposes therein mentioned, And for raising the same by an equal assessment on all Estates real and personal and lucrative Offices and Employments, thus Indorsed, By the Upper House of Assembly, 27th April, 1761. Read the first Time, and will not Pass.

Signed p Order, J. Ross, Cl. Up. Ho.

The Petition of Dr. Upton Scott was Read the first Time.

On Motion, Ordered, That Mr. Edward Tilghman, Mr. Ringgold, Mr. Hammond, and Mr. Carroll, bring in a Bill, for the better securing the Duty of 1/3 per Hogshead on all Tobaccoes exported out of this Province, and enlarging the Security given by the Naval Officers.

On Motion, Ordered, That Mr. Edward Tilghman, Mr. Matthew Tilghman, and Col. Scarborough, do bring in a Bill for the Proces-sioning Lands, and for the better Establishing the Boundaries thereof.

Ordered, That a Summons issue to the Serjeant at Arms for Mr. Henry Darnall, Naval Officer of Patuxent District, to appear by Thursday Morning IX of the Clock next, before this House, to give Satisfaction to this House as to the Neglect of Duty as Naval Officer, in the Matters reported by the Committee to Inspect the Office and Proceedings of the Commissioners for Emitting Bills of Credit, established by Act of Assembly.

The House adjourns till the Morrow Morning 9 of the Clock.

Tuesday, 28th April, 1761.

April 28

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

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L. H. J.
Liber No. 51
April 28

The Petition of sundry Inhabitants of Frederick County, complaining of an undue Election, was Read the first time and ordered to lie on the Table. Read the second Time, and referred to the next Session of Assembly.

Mr. Hammond, from the Committee appointed to join the Members of the Upper House in an Address of Condolance and Congratulation to his Majesty, brings in the following Report:

By the Members of the Honourable the Lower House of Assembly, nominated to join with the Members appointed by the Upper House in drawing an Address of Condolance and Congratulation to his Majesty.

In Obedience to an Order of your Honourable House of Saturday the 25th Instant, we humbly report, That on Friday the 17th Instant it was intimated from Four of the Gentlemen of your House, to one of the Gentlemen of the Upper House, that they were desirous a Form should be laid before the Gentlemen of your House for their Consideration, by the Gentlemen of that House; that accordingly on the Evening of the same Day was communicated to Three of those Gentlemen, the following, viz.

To the King's most Excellent Majesty.
The humble Address of the Governor, and the Upper and Lower Houses of Assembly of the Province of Maryland.

May it please your Majesty,

Deeply affected with the severe Loss we in common with our Fellow-Subjects have sustained by the Death of our late most Excellent King, of happy Memory, whose paternal Care the Inhabitants of these Colonies have in the amplest Manner experienced, in the Course of his long, mild, just and glorious Reign, favourably permit us, most Gracious Sovereign, to condole with your Majesty. p. 385 that melancholy Event; but we should not approve ourselves in any Respect worthy of the indulgent Protection of Providence did we not derive, and most thankfully acknowledge, the strongest Consolation from a Contemplation on the Eminent and Royal Virtues, which constitute and embellish the Character of a good King, and give the best Assurance of a Continuance, under your Majesty's Reign, of the invaluable Blessings we have so long enjoyed during that of your illustrious Grandfather: With this Assurance, we join in the general Joy which hath been diffused through all the extensive Dominions of Great-Britain, and with the greatest Humility and purest Sincerity of Heart, beg Leave to congratulate your Majesty upon your Accession to the Throne of your Ancestors.

May your Majesty be rendered happy by the Prosperity of a free People, flourishing under the benign Influence of your auspicious Government, by a grateful and adequate Retribution in their zealous Affection and firm Attachment to your Sacred Person, and

by every Solace of human Nature; and we most fervently pray,
that your Majesty's Reign may be distinguished, as well by its
Length, as its Felicity.

L. H. J.
Liber No. 51
April 28

Saturday and Part of Monday, some of the Gentlemen of your House being absent by the Leave of the House; on Tuesday Afternoon, the 21st Instant, all the Gentlemen of your House met; and upon Consideration of the Form abovementioned, agreed to propose to the Gentlemen of the Upper House, the following Alterations therein, and Addition to be made thereto; after the Word experienced, in the Nineteenth Line, instead of the Words in the amplest Manner, insert these Words, so far as their particular Circumstances would admit. After the Word Blessings, in the 27th Line, instead of the Words, we have so long enjoyed during, insert these Words, which have flowed from. At the End, add these Words, and that there may never be wanting one of your Royal Defendants to fill the Throne, till Time shall be no more.

That the Members of your House being divided in Opinion, upon p. 386
the Expediency of making any farther Addition to the said Form, thought proper to recur to the House for their Instructions. That in Compliance with the Directions of the Honourable House, your Members did, at a Meeting of the whole Committee on Thursday Morning the 23d Instant, propose to the Gentlemen of the Upper House a fair Draft of the above Address, with the Alterations and Addition before noted, and the further Addition following, viz.

But may it please your Majesty to indulge us, destitute as we are of the proper Means of obtaining Access to the Throne, while we make Use of this Opportunity of humbly expressing our Concern, that this Province has, during the present just and necessary War, contributed so little to the Service of our late most Gracious Sovereign; and our Confidence, that, until a full Enquiry be made into the Causes thereof (which we most earnestly desire) and the People shall be permitted to raise a Support for an Agent, who may lay all their Grievances which they suffer under the Government of their Lord Proprietary, properly before your Majesty, you will be graciously pleased to continue that favourable Opinion, which, we hope, you have hitherto entertained of your Protestant Inhabitants of the Province of Maryland; than whom, permit us, Royal Sir, to say, your Majesty has not, in all your Dominions, Subjects more Loyal, more hearty Well-wishers to our present happy Establishment, or more firmly or affectionately attached to your most Sacred Person and Government.

That the Gentlemen of the Upper House, upon being told that the said Draft, with the Alterations and Additions aforesaid, was offered by Direction of your House, and was delivered them for their Consideration, after Reading over the same, immediately left the Members of your House without saying one Word; which

L. H. J. Behaviour, tho' the Members of your House could not but look
 Liber No. 51 upon as a Dissolution of the Committee of the Two Houses, yet
 April 28 considering it might possibly proceed from Inadvertence, were
 p. 387 willing to give Time for any Proposal, which might be thought
 proper to be made by the Gentlemen of the Upper House; but not
 having the least Intimation from, or Hopes of any further Inter-
 course with those Gentlemen, your Members concluded to report
 the whole Matter as soon as the Passage of the Bill for his Majesty's
 Service (on which your House had Resolved to proceed on Satur-
 day) would permit.

Which being Read a first and second Time, the House concurs
 therewith; and thereupon Ordered, That Mr. Edward Tilghman,
 Mr. Matthew Tilghman, Mr. Carroll, Mr. Hammond, and Mr.
 Murdoch, do prepare and bring in an Address of Condolance and
 Congratulation to his Majesty.

[Editor's note: *The Address to the King as it appears in the Proceedings of the Lower House varies considerably from that recorded in the Proceedings of the Upper House. It is therefore printed in full on pages 474-475.*]

Mr. Ringgold brings in and delivers to Mr. Speaker, the following Report:

Maryland, ss.^t

By the Committee appointed by the Lower House of Assembly
 to enquire into the Securities given by the several Naval Officers
 of this Province; as also to enquire into the Security given by Philip
 Lee, Esq; late Naval Officer of the District of Patowmack, and
 likewise to report who was Naval Officer of Pocomoke, and who
 were his Securities in the Year 1755.

Your Committee report, that they cannot find any Bonds or
 Securities of Naval Officers lodged in the Secretary's Office (where
 Office Bonds are usually lodged) and finding by the Act made in
 1751 to oblige the Naval Officers to give sufficient Bonds for what
 Monies they shall receive belonging to the Public, that the Bonds
 so directed to be taken are by the said Act to be lodged with the
 Clerk of the Council for the Time being, and to be kept in the
 Council Office, one of your Committee applied to John Ross, Esq;
 Clerk of the Council, to permit them to see the Naval Officers Bonds,
 lodged there, and received for Answer, that the Bonds of the Naval
 Officers were taken payable to the Governor, and lodged amongst the
 v. 388 Records of his private Council, and that he could not permit your
 Committee to see them without Orders from the Governor, but
 that he would speak to the Governor about it, and since informed
 one of your Committee they could not be permitted to see them,
 without an Application from your House to the Governor. Your

Committee further report, that they were informed by the said John Ross, esq; that he believed Mr. Robert Graham was Naval Officer of Pocomoke District for the Year 1755: But not being permitted to see the Bonds aforesaid, your Committee cannot give a more certain Information of the Matter.

All which is humbly submitted to the Consideration of the Honourable House, this 27th April, 1761.

L. H. J.
Liber No. 51
April 28

Walter Dulany,
Brice T. B. Worthington,
John Hanson, junior,
Josias Beall, junior,
John Trueman Stoddert,
Thomas Ringgold.

The Bill enabling Mary Stansbury, Executrix of Tobias Stansbury, to sell certain Lands therein contained, was Read a second Time, and committed for Amendment.

Ordered, That Mr. Worthington, Mr. Gantt, Mr. Stoddert, and Mr. Beall, be appointed to enquire into the Journals, to know what Persons have been appointed to Revise the several Bodies of Laws heretofore Printed.

On Motion, Ordered, That Mr. Ringgold, Mr. Hammond, and Mr. Carroll, do bring in a Bill for the more easy Foreclosing of Mortgages.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

Mr. King appears in the House.

Mr. Edward Tilghman brings in and delivers to Mr. Speaker, a Bill, entituled, An Act for Erecting a Public Warehouse at Vienna-Town in Dorchester County; which was Read the first Time, and Ordered to lie on the Table.

Mr. Govane, from the Committee of Accounts, brings in and delivers to Mr. Speaker, the Journal of Accounts.

Mr. Murdock from the Committee brings in and delivers to Mr. Speaker, an Address of Condolance and Congratulation to his Majesty; which was Read the first and second Time, and unanimously Approved of, and Ordered to be Ingrossed.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, a Bill, entituled, A Supplementary Act to the Act, entituled, An Act for emitting and making current 90,000 l. Current Money of Maryland, in Bills of Credit; and also to amend certain Defects in an Act, entituled, An Act, to oblige the Naval Officers to give sufficient Bonds for what Monies they shall receive belonging to the Public; thus Indorsed, By the Upper House of Assembly, 28th

L. H. J. April, 1761. Read the first and second Time by especial Order, and
Liber No. 51 will Pass.
April 28

Signed p Order, J. Ross, Cl. Up. Ho.

The Petition of Dr. Upton Scott was Read a second Time, and
was thereupon Rejected.

The House adjourns till the Morrow Morning 8 of the Clock.

April 29

Wednesday, 29th April, 1761.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

The Serjeant makes the Return of his Subpoena, viz. Mr. Darnall not being at home, he left a Copy of the Summons at his House, on Tuesday 28th April, 12 o'Clock.

Mr. Beall brings in and delivers to Mr. Speaker the following report.

April 29,th 1761.

By the Committee appointed by the Honourable the Lower House of Assembly to enquire into the Journals, to know what Persons have been appointed to Revise the several Bodies of Laws that have heretofore been Printed.

p. 390 Your Committee having duly enquired into the Journals, do find, in one of the Journal Books, among other Proceedings of Council recorded in the same Book, the following Messages:

By the House of Assembly, May 11th, 1692.

This House hath appointed Mr. William Dent, Mr. Philip Clarke, Mr. Robert Smith, Major Henry Trippe, Mr. Thomas Greenfield, Capt. William Whittington, and Mr. Edward Boothby, to be a Committee for Examination and Inspection of the Body of Laws of this Province; and do desire that some Members of the Council may be joined with them herein.

Signed p Order, Henry Denton, Cl. Assembly.

By his Excellency the Governor and Council in Assembly, May 14th, 1692.

This Board have appointed the Honourable Col. Bowles, Col. Nicholas Greenbery, and Mr. John Addison, to join in Committee with the Members of the House of Assembly for Inspecting the Body of Laws of this Province.

Signed p Order, John Llewelin, Clerk.

Your Committee do not find any Report from the aforesaid Committee entered among the abovementioned Proceedings; but near the Close of the Journal of that Session, find the following Entry, to wit,

An Act for Publication of all Laws within this Province, Passed L. H. J.
and Assented to. Liber No. 51
April 29

Your Committee further find, in the Journals of this House in
the Year 1715, as follows, to wit,

Friday Afternoon, 29th April, 1715.

John Hall, Esq; from the Honourable Council, delivers Mr.
Speaker the following, viz.

Copies of Two of the Royal Instructions to his Excellency the
Governor of Maryland.

You are to transmit authentic Copies of all Laws, Statutes, and
Ordinances, that are now made, and are in Force, which have not yet
been sent, or which at any Time hereafter shall be made and enacted
within our said Province, each of them separately, under the Public p. 391
Seal, unto Us and our Commissioners for Trade and Plantations,
within Three Months, or by the first Opportunity after their being
enacted; together with Duplicates thereof, by the next Conveyance,
upon Pain of our highest Displeasure, and Forfeiture of that Year's
Salary.

And that it may be the better understood what Acts and Laws
are in Force, in our said Province of Maryland, you are, with the
Assistance of our Council there, to take Care, that all Laws now in
Force be Revised and Considered; and if there be any Thing either in
the Matter or Stile of them, which may be retrenched or altered,
you are to represent the same to us, with your Opinion touching
the said Laws now in Force; whereof you are to send a compleat
Body unto Us, and our Commissioners for Trade and Plantations,
with such Alterations as you shall think requisite, to the End our
Approbation or Disallowance may be signified thereupon.

Signed p Order, Wm. Bladen, Clerk Council.

By his Excellency the Governor and Council in Assembly, April
29th, 1715.

His Excellency the Governor, with the Advice of this Board, has
thought fit to communicate to the House of Delegates the Two
above written Royal Instructions.

Signed p Order, Wm. Bladen, Clerk Council.

By the House of Delegates, May the 6th, 1715.

The Two Royal Instructions sent us by John Hall, Esq; on the
29th of last Month, being considered; In order to effect what is
therein mentioned, and that we may the better understand what
your Excellency and Honours take to be our Duty in that Affair,
desire some of the Honourable Members of your Board may be

L. H. J. appointed to confer with some of this House about that Subject
 Liber No. 51 To-morrow Morning.
 April 29
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Signed p Order, Tho. Macnemara, Clerk Ho. Del.

By his Excellency the Governor and Council in Assembly, May 6th, 1715.

Gentlemen,

In Answer to your Message by Mr. Tyler, and Three Others of your House, we acquaint you, that the Conference therein by you desired, is agreed to by this Board, &c.

The following being prepared in Answer thereto, is Ordered to be Entered, viz.

By the House of Delegates, May 6th, 1715.

May it please your Excellency and Honours,

This House agrees with the Proposal made in your Message of this Day by Col. Coursey, Lieutenant-Colonel Young, Col. Thomas Addison, and Lieutenant-Colonel Richard Tilghman.

Signed p Order, Tho. Macnemara, Clerk Ho. Del.

May 7th, 1715. Col. Matthew Tilghman Ward, from the Conference about Revising the Laws, delivers Mr. Speaker, the following Report, viz.

At a Conference between the Members appointed by the Honourable his Majesty's Council, and the Members of the House of Delegates appointed by this House, held, &c. 6th of May, &c.

Then were Read the Two Royal Instructions, viz. &c.

And as to the Instruction relating to the Revisal of the Laws of this Province, and sending a compleat Body for his Majesty's Approbation or Disallowance, the Conferees are of Opinion, that all such Laws of this Province, that want Amendment, to be re-enacted this Session, and sent to his Majesty, and the Loards Commissioners for Trade and Plantations, under separate Seals, and that as to all other Laws of this Province, that seem to be good and effectual, and want no Amendment, it will be fit they be transcribed in Parchment, and sent under Seals, with the other, that a compleat Body of all our Laws may be collected together, and sent Home for his Majesty's Approbation or Disallowance.

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Signed p Order, Wm. Bladen, Clerk of the Conference.

On which the following Indorsement is Ordered to be made thereon, viz.

By the House of Delegates, May the 7th, 1715.

This Report being Read and Debated, for that it appears to this House that the several Laws of this Province now in Force, are scattered and dispersed in several Books and Editions, containing

Laws that are Repealed; it is therefore Resolved, that the said Report be agreed to, and his Excellency's and the Honourable Council's Concurrence is required; and that for the accomplishing of the same, some Members of the Honourable Council may be appointed to join our Committee of Laws.

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April 29

Signed p Order, Tho. Macnemara, Cl. Ho. Del.

By the Council in Assembly, May 7th, 1715.

The Report of the Conferees about Tobacco, &c.

Likewise the Report of the Conferees about Revising the Laws has been Read, together with your Concurrence thereto Indorsed, to which we do also concur, and have appointed the Honourable Colonel William Holland, and Lieutenant Colonel Samuel Young, to join your Committee of Laws in Revising them.

Signed p Order, Wm. Bladen, Clerk Council.

All which is humbly submitted to the Consideration of the Honourable House.

Signed p Order, B. Nicholson, Clerk.

Was Read the first and second Time.

On Motion, Leave was given to bring in a Bill for issuing Writs p. 394 of Replevin out of the County Courts of this Province; and accordingly Mr. Edward Tilghman brings in the same; which was Read the first Time and Ordered to lie on the Table.

Mr. Edward Tilghman brings in and delivers to Mr. Speaker, a Bill, entituled, An Act to raise a Fund for the Support of an Agent in Great-Britain, for the Service of this Province; which was Read the first Time, and Ordered to lie on the Table.

A Bill, entituled, An Act to aid the Proceedings of the Vestry of St. Stephen's Parish in Cæcil County, was Read the first Time, and Ordered to lie on the Table.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

Mr. Gresham appears in the House.

Col. Cresap appears in the House.

Ordered, That Mr. Crabb and Mr. Magruder do go with Col. Cresap to the Upper House, to see him Qualified. They return and acquaint Mr. Speaker, They saw him Qualified in the usual Manner.

The Gentleman took his Seat accordingly.

Ordered, That Mr. Dorsey, Mr. Harris, and Mr. Smallwood, be appointed to join the Committee for Inspecting the Public Offices.

Mr. Murdock brought in the following Ingrossed Address to his Majesty.

L. H. J.
 Liber No. 51
 April 29 To the King's most Excellent Majesty.
 The humble Address of the House of Delegates of the Province of
 Maryland.

May it please you Majesty,

Deeply affected with the severe Loss we in common with our Fellow-Subjects have sustained by the Death of our late most Excellent King, of happy Memory, whose paternal Care the Inhabitants of these Colonies have, so far as their particular Circumstances would admit, experienced in the Course of his long, mild, just and glorious Reign; favourably permit us, most Gracious Sovereign,
 p. 395 to condole with your Majesty that melancholy Events; but we should not approve ourselves in any Respect worthy of the indulgent Protection of Providence, did we not derive, and most thankfully acknowledge, the strong Consolation from a Contemplation on the Eminent and Royal Virtues, which constitute and embellish the Character of a good King, and give the best Assurance of a Continuance, under your Majesty's Reign, of the invaluable Blessings which have flowed from that of your illustrious Grandfather: With this Assurance we join in the general Joy which hath been diffused through all the extensive Dominions of Great-Britain, and with the greatest Humility and purest Sincerity of Heart, beg Leave to congratulate your Majesty upon your Accession to the Throne of your Ancestors.

May your Majesty be rendered happy by the Prosperity of a free People, flourishing under the benign Influence of your auspicious Government, by a grateful and adequate Retribution in their zealous Affection and firm Attachment to your Sacred Person; and we most fervently pray, that your Majesty's Reign may be distinguished, as well by it's Length, as it's Felicity, and that there may never be wanting one of your Royal Descendants to fill the Throne to latest Posterity.

But, may it please your Majesty to indulge us, destitute as we are of the proper Means of obtaining Access to the Throne, while we make Use of this Opportunity of humbly expressing our Concern, that this Province has, during the present just and necessary War, contributed so little to the Service of our late most Gracious Sovereign; and our Confidence, that, until a full Enquiry be made into the Causes thereof (which we most earnestly desire) and the People shall be permitted to raise a Support for an Agent, who may lay all the Grievances, which they suffer under the Government of their Lord Proprietary, properly before your Majesty, you will be graciously pleased to continue that favourable Opinion, which, we hope, you have hitherto entertained of your Protestant Inhabitants of the Province of Maryland; than whom, permit us, Royal Sir, to say, your Majesty has not, in all your Dominions, Subjects more Loyal,

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more many Well-wishers to our present happy Establishment, or more firmly or affectionately attached to your most Sacred Person and Government.

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April 29

On Reading the Act for Encouraging a Collection and Publication of the Laws of this Province, the Question was put, That this House send a Message to the Upper House, signifying their Desire that that House will Name Three of their Members, to be Nominated together with Seven Members of this House, in a Bill now before them for Encouraging a Collection and Publication of the Laws of this Province. Resolved in the Negative.

And thereupon the Question was put, That this House send a Message to the Upper House, signifying that they had Nominated Seven Gentlemen of this House in a Bill now before them, for Encouraging a Collection and Publication of the Laws of this Province, and desire to know what Members of that House they will be pleased to join with them. Resolved in the Affirmative.

For the Affirmative,

Greenfield,	Govane,	Harris,
Gresham,	Dorsey,	Scarborough,
Worthington,	Murdock,	Purnell,
Carroll,	Beall,	Selby,
Hanson,	Dulany,	Crabb,
Gibson,	Steuart,	Chapline. [18]

For the Negative,

Hynson,	Smallwood,	King,
Ringgold,	Travers,	E. Tilghman,
Gassaway,	Cockey Deye,	M. Tilghman,
Hammond,	Owings,	Magruder,
Gantt,	Baker,	Cresap.
Stoddert,	Mauldin,	[17]

The House adjourns till the Morrow Morning 9 of the Clock.

Thursday, 30th April, 1761.

April 30
p. 397

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

The House proceeds to the Reading the Act for Encouraging a Collection and Publication of the Laws of this Province; and thereupon the previous Question was put, That the following Question be now put, that a Proviso be added to the said Bill, ordering the Committee Nominated for Revising and Examining the Collection of the Laws made by Mr. Thomas Bacon, to Report the Laws which

L. H. J. are in Use in this Province, tho' not in Force, in an Appendix to the
 Liber No. 51 said Collection, and not in the Body of the said Collection. Resolved
 April 30 in the Negative.

For the Negative,

Greenfield,	Gibson,	Steuart,
Hynson,	Travers,	Harris,
Gresham,	Cockey Deye,	Scarborough,
Worthington,	Govane,	Purnell,
Carroll,	Owings,	Selby,
Hammond,	Dorsey,	Crabb,
Gantt,	Murdock,	Chapline,
Hanson,	King,	Magruder,
Stoddert,	Beall,	Cresap.
Smallwood,	Dulany,	

[29]

For the Affirmative,

Ringgold,	Baker,	E. Tilghman,
Gassaway,	Mauldin,	M. Tilghman. [6]

And thereupon the previous Question was put, That the following Question be now put: That a Proviso be added to the said Bill, ordering that the Act by which the Lord Proprietary of this Province takes the 12 d. Sterling per Hogshead on all Tobaccoes exported out of this Province, be not inserted in the Collection of the Laws to be made by Mr. Thomas Bacon, but put in an Appendix thereto, and distinguished as a Law not in Force. Resolved in the Negative.

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For the Negative,

Greenfield,	Smallwood,	Dulany,
Hynson,	Travers,	Steuart,
Gresham,	Gibson,	Harris,
Ringgold,	Govane,	Scarborough,
Worthington,	Dorsey,	Purnell,
Hammond,	Baker,	Selby,
Gantt,	Mauldin,	Crabb,
Hanson,	Murdock,	Chapline,
Carroll,	King,	Magruder,
Stoddert,	Beall,	Cresap.

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For the Affirmative,

Gassaway,	Owings,	M. Tilghman.
Cockey Deye,	E. Tilghman,	

[5]

And thereupon the previous Question was put, That the following Question be now put: That a Proviso be added to the said Bill, order-

ing that the Act by which the Lord Proprietary of this Province takes the 12 d. Sterling per Hogshead on all Tobaccos exported out of this Province, be not inserted in the Collection of Laws to be made by Mr. Thomas Bacon, but put in an Appendix thereto. Resolved in the Affirmative.

And thereupon the Question was put, That a Proviso be added to the said Bill, ordering that the Act by which the Lord Proprietary takes the 12 d. Sterling per Hogshead on all Tobaccos exported out of this Province, be not inserted in the Collection of Laws to be made by Mr. Thomas Bacon, but put in an Appendix thereto. Resolved in the Affirmative.

L. H. J.
Liber No. 51
April 30

For the Affirmative,

Hynson,	Stoddert,	Murdock,
Ringgold,	Smallwood,	King,
Gassaway,	Travers,	Beall,
Worthington,	Cockey Deye,	E. Tilghman,
Carroll,	Owings,	M. Tilghman,
Hammond,	Dorsey,	Chapline, ·
Gantt,	Baker,	Magruder,
Hanson,	Mauldin,	Cresap.

[24]

For the Negative,

Greenfield,	Dulany,	Purnell,
Gresham,	Steuart,	Selby,
Gibson,	Harris,	Crabb.
Govane,	Scarborough,	

[11]

The Bill for Encouraging a Collection and Publication of the p. 399 Laws of this Province, was Read a second Time, and committed for Amendment.

Charles Hammond, Esq; from the Upper House, delivers to Mr. Speaker, the Petitions of sundry Prisoners in Frederick County Goal; Indorsed, By the Upper House of Assembly; Read and Referred to the Consideration of the Lower House of Assembly which said Petitions were here read and ordered to lie on the Table.

John Ridout, Esq; from the Upper House, delivers to Mr. Speaker, the Petition of Francis Ware; Indorsed, By the Upper House of Assembly; Read and Referred to the Consideration of the Lower House of Assembly.

Which was here Read, and Ordered to lie on the Table.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

The Order of the Day being Read; the House appoints Mr. Edward Tilghman, Mr. Murdock, Mr. Carroll, Mr. Hammond,

L. H. J. and Mr. Matthew Tilghman, to be a Committee to draw an Address
 Liber No. 51
 April 30 to his Excellency, to desire him to put the Bond of the Naval Officer
 of Patuxent District in Suit, and also to remove the said Naval
 Officer from his Office.

Mr. Edmondson and Mr. Bowman appear in the House.

On Motion, the Question was put, That this House will Address
 the Governor to remove Mr. Benjamin Young from his Office of
 Naval Officer of Pocomoke. Resolved in the Negative.

For the Negative,

Greenfield,	Bowman,	Dulany,
Hynson,	Gibson,	Steuart,
Gresham,	Travers,	Harris,
Ringgold,	Govane,	Scarborough,
Gassaway,	Owings,	Purnell,
Worthington,	Dorsey,	Selby,
Carroll,	Baker,	Crabb,
Gantt,	Mauldin,	Chapline,
Stoddert,	Murdock,	Cresap.
Edmondson,	Beall,	

[29]

For the Affirmative,

Hammond,	King,	Magruder.
Hanson,	E. Tilghman,	
Smallwood,	M. Tilghman,	

[7]

p. 400 Mr. Purnell has Leave of Absence.

Mr. Ringgold and Mr. Hynson have Leave of Absence from
 Saturday till Monday.

Mr. Greenfield has Leave of Absence from Saturday till Thursday.

Mr. Gibson has Leave of Absence till Thursday.

On Motion, Ordered, That the Committee appointed to bring in a
 Bill for Establishing a College in this Province, be a Committee to
 Report to this House the several Funds necessary for that Purpose.

The House adjourns till the Morrow Morning 9 of the Clock.

May 1

Friday, 1st May, 1761.

The House met according to Adjournment: The Members were
 called, and all appeared as Yesterday, except Mr. Purnell and Mr.
 Gibson. The Proceedings were Read.

On Motion, the Question was put, That One Hundred Men be
 raised, for the Garrisoning of Fort Cumberland, Red-Stone-Creek,
 and the Crossings. Resolved in the Negative.

For the Negative,

Greenfield,	Edmondson,	King,
Hynson,	Bowman,	Dulany,
Ringgold,	Travers,	E. Tilghman,
Gassaway,	Cockey Deye,	M. Tilghman,
Worthington,	Govane,	Harris,
Carroll,	Owings,	Scarborough,
Hammond,	Dorsey,	Selby,
Gantt,	Baker,	Chapline,
Hanson,	Mauldin,	Magruder.
Stoddert,	Murdock,	
Smallwood,	Beall,	

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Liber No. 51
May 1

[31]

For the Affirmative,

Gresham,	Crabb,	Cresap.
Steuart,		

[4]

Mr. Edward Tilghman brings in and delivers to Mr. Speaker, a Bill, entituled, An Act for Trial of all Matters of Fact in the several Counties where they have arisen or shall arise; which was Read the first Time, and Ordered to lie on the Table.

On Motion, Ordered, That Mr. Carroll, Mr. Hammond, Mr. Murdock, Mr. Edward Tilghman, and Mr. Matthew Tilghman, prepare and bring in an Address to his Excellency.

Ordered, That the Proposals for Printing a Collection of the Laws of this Province, made by the Mr. Thomas Bacon, be Entered on the Journal of this House. Agreeable to the said Resolve the p. 401 following is entered.

Proposals.

1. That all the Acts of Assembly of this Province in Force or Use, shall be Printed at large, at the Expence of the Proposer, on such Paper and Letter, and in such Form, as any Laws of the Plantations have heretofore been Printed, which this General Assembly shall best approve of.

2. That the several Sessions shall be distinguished by their proper Dates, Names of Governors, &c. The Titles of all the Acts passed in each, inserted in their due Order, with Reference to the Records where they may be found; and an Account of the several Continuations, and Time of Expiration or Repeal of such as are expired or abrogated. Each Session shall be divided into Chapters, and the Chapters into Sections with Numbers, for the easier Quotation of any Laws in Being.

3. That ample marginal Notes shall be Printed, with Reference to any subsequent Law, whereby a Paragraph may in any wise be

L. H. J.
Liber No. 51
May 1

affected or altered; and a compleat Common-Place, or short Alphabetical Abridgement of the Laws, shall be added, whereby the Whole, relating to any one Article, may easily be seen, and turned to in the several Acts at large.

4. That a Copy of the Whole shall be laid before the General Assembly, which shall meet next after the 25th Day of August next, for the Inspection and Approbation of his Excellency the Governor, and of the Upper and Lower Houses; which, after the said Approbation is received, shall be Printed with all possible Expedition.

5. That the said Proposer shall deliver Three Printed Copies of the said Work neatly Bound and Lettered; one for the Use of his Excellency the Governor, one to the Clerk of the Council for the Use of the Upper House, and another to the Honourable the Speaker for the Use of the Lower House of Assembly, on Condition p. 402 that the said Proposer be allowed Two Hundred Pounds Current Money of this Province in the Public Journal; and for any farther Reimbursement of his Labour and Expence therein, is willing to depend on the Benefit arising from the Sale of his remaining Printed Copies.

Thomas Bacon, 1758.

Mr. Murdock brings in and delivers to Mr. Speaker, the Address to his Excellency; which was Read, Approved of, and Ordered to be Ingrossed.

Mr. Murdock brings in and delivers to Mr. Speaker, the following Ingrossed Address:

To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland:

The humble Address of the House of Delegates.

May it please your Excellency,

The Disagreement of the Two Houses in forming a joint Address of Condolance and Congratulation to our most Gracious Sovereign, has made it necessary for us to prepare a separate one; and as we are desirous to have it properly authenticated, we must request that your Excellency will be pleased to give Orders, that the Great Seal of the Province may be affixed thereto.

Which was Read and Assented to, and Signed, by Order of the House, by the Honourable Speaker.

Ordered, That Mr. Carroll and Mr. Ringgold do acquaint the Governor, That this House has prepared an Address, to be presented to him, and desires to know when and where he will be pleased to receive it. They return and acquaint Mr. Speaker, That his Excellency will receive it immediately in the Conference Chamber.

Ordered, That Mr. Carroll and Mr. Murdock do present the Address to his Excellency.

A Bill, entituled, An Act continuing an Act, entituled, An Additional Supplementary Act to the Act, entituled, An Act for issuing and taking out of the Office of the Commissioners or Trustees for emitting Bills of Credit, established by Act of Assembly, the Sum of Four Thousand Five Hundred Pounds Current Money, for Encouragement of such able-bodied Freemen as shall voluntarily enlist themselves into his Majesty's Service for the intended Expedition against Canada, and for maintaining and conveying them to the Place of Rendezvous; as also for replacing of the said Sum, and for the better regulating Ordinaries and Ordinary-Keepers, and for other Purposes therein mentioned;

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May 1
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A Bill, entituled, An Act continuing an Act, entituled, An Act to make the Testimony of convicted Persons legal against convicted Persons:

A Bill, entituled, An Act continuing an Act, entituled, An Act to exempt Persons appearing at Musters from Arrests in Civil Cases;

A Bill, entituled, An Act continuing an Act, entituled, An Act for the more effectual Punishment of Negroes, and other Slaves; and for taking away the Benefit of Clergy from certain Offenders; and a Supplementary Act to an Act, entituled, An Act to prevent the tumultuous Meetings and other Irregularities of Negroes and other Slaves, and directing the Manner of trying Slaves;

A Bill, entituled, An Act continuing an Act, entituled, An Additional Supplementary Act to the Act, entituled, An Act relating to Servants and Slaves;

A Bill, entituled, An Act continuing an Act, entituled, An Act for the more effectual Punishment of certain Offenders, and for taking from them the Benefit of Clergy;

A Bill, entituled, An Act continuing an Act, entituled, An Act to enable the several and respective County Clerks within this Province, to remove some of the County Records and Papers from the Public Offices;

A Bill, entituled, An Act continuing an Act, entituled, A Supplementary Act to an Act, entituled, An Act laying an Imposition on Negroes and several Sorts of Liquors imported, and also on Irish Servants, to prevent the importing too great a Number of Irish Papists into this Province; p. 404

A Bill, entituled, An Act continuing an Act, entituled, An Act for Punishment of Horse-Stealers, and other Offenders;

A Bill, entituled, An Act continuing an Act, entituled, An Act to prevent certain Evils and Inconveniences attending the Sale of strong Liquors, and running of Horse-Races, near the yearly Meetings of the People called Quakers; and to prevent the tumultuous Concourse of Negroes and other Slaves during the said Meetings;

L. H. J. and also one other Act, entituled, An Act to amend and explain on
 Liber No. 51 Act, entituled, An Act to prevent certain Evils and Inconveniencies
 May 1 attending the Sale of strong Liquors, and running of Horse-Races,
 near the yearly Meetings of the People called Quakers; and to prevent
 the tumultuous Concourse of Negroes and other Slaves during the
 said Meetings;

A Bill, entituled, An Act continuing an Act, entituled, An Act for
 destroying Wolves in Frederick County;

A Bill, entituled, An Act continuing an Act, entituled, An additional and explanatory Act to the Act, entituled, An Act empowering the Commissioners of the County Courts to levy and raise Tobacco, to defray the necessary Charges of their Counties and Parishes;

A Bill, entituled, An Act continuing an Act to make it Penal to forge or counterfeit the Bills of Credit of Virginia, Pennsylvania, New-York, East or West Jerseys, or the Three Lower Counties on Delaware, called New-Castle, Kent, and Sussex, or to utter or tender the same in Payment within this Province, knowing them to be such;

A Bill, entituled, An Act continuing an Act relating to Guardians and Orphans;

Were severally Read the second Time, and will Pass; and were sent to the Upper House by Mr. Matthew Tilghman and Mr. Hanson.

A Bill, entituled, An Act enabling James Hollyday, legal Representative of James Hollyday, Esq; Deceased, late Treasurer of the Eastern Shore, to draw Bills for the Money therein mentioned, was Read a second Time, and committed for Amendment.

p. 405 The following Message:

By the Lower House of Assembly, May 1, 1761:

May it please your Honours,

This House is preparing a Bill for Encouraging a Collection and Publication of the Laws of this Province, in which a Committee of both Houses is to be appointed to Inspect, examine into, and consider of the said Collection, and to compare the same with the original Laws; and desire your Honours will Name some Members of your House to be Nominated in the said Bill, together with Mr. William Murdock, Mr. Edward Tilghman, Mr. Charles Carroll, Mr. Matthew Tilghman, Mr. John Hammond, Mr. Brice Thomas Beale Worthington, and Mr. Thomas Ringgold, of this House, as a Committee for the Purpose aforesaid.

Signed p Order, John Allen Thomas, Cl. Lo. Ho.

Was sent to the Upper House by Mr. Murdock and Mr. Carroll.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

Samuel Chamberlaine, Esq; from the Upper House, delivers to L. H. J.
Mr. Speaker, the following Message: Liber No. 51
May 1

By the Upper House of Assembly, May 1, 1761.

Gentlemen,

In Answer to your Message of this Day by Messieurs Murdock and Carroll, this House hath appointed the Honourable Col. Hammond, Col. Lloyd, Samuel Chamberlaine, Benedict Calvert, Daniel Dulany, Stephen Bordley, and John Ridout, Esquires, to join the Members Named by your House, for the Purposes intended by the said Message.

Signed p Order, J. Ross, Cl. Up. Ho.

A Bill, entituled, An Act for Encouraging a Collection and Publication of the Laws of this Province, was Read the second Time, and will Pass. And was sent to the Upper House by Mr. Worthington and Mr. Hammond.

The Bill, entituled, An Act for Trial of all Matters of Fact in the several Counties where they have arisen or shall arise, was Read a second Time; and thereupon the Question was put, That the same do Pass. Resolved in the Affirmative.

For the Affirmative,

Greenfield,	Bowman,	E. Tilghman,
Hynson,	Travers,	M . Tilghman,
Gresham,	Cockey Deye,	Harris,
Ringgold,	Owings,	Scarboronugh,
Hanson,	Dorsey,	Selby,
Stoddert,	Baker,	Cresap.
Edmondson,	Mauldin,	

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For the Negative,

Gassaway,	Smallwood,	Dulany,
Worthington,	Govane,	Steuart,
Carroll,	Murdock,	Crabb,
Hammond,	King,	Chapline,
Gantt,	Beall,	Magruder.

[15]

Agreeable to the above resolution the said Bill was indorsed read the second Time and will pass and was sent to the Upper House by Mr. Edward Tilghman and Mr. Ringgold.

Mr. Hammond has Leave of Absence till Monday.

Mr. Murdock brings in and delivers to Mr. Speaker, an Address to his Excellency; which was Read, Approved of, and Ordered to be Ingrossed.

On Reading the Petition of Capt. Evan Shelby a second Time, the same was Referred till the Morrow Morning.

The House adjourns till the Morrow Morning 9 of the Clock.

L. H. J.
Liber No. 51
May 2

Saturday, May 2, 1761.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday, except Mr. Greenfield, Mr. Hynson, Mr. Ringgold, and Mr. Hammond. The Proceedings were Read.

A Bill, entituled, An Act to augment the Salaries of the Inspectors at Elk-Ridge Landing Warehouse, in Anne-Arundel County, and for other Purposes therein mentioned;

A Bill, entituled, An Act to aid the Proceedings of the Vestry in St. Stephen's Parish, Cæcil County;

^{p. 407} A Bill, entituled, An Act to raise a Fund for the Support of an Agent in Great-Britain, for the Service of this Province;

A Bill, entituled, An Act for Erecting a Public Warehouse at Vienna-Town in Dorchester County;

Were severally Read, and will Pass.

Ordered, That Dr. Steuart and Col. Scarborough carry the said Bills to the Upper House.

Mr. Carroll brings the Ingrossed Address following:
To his Excellency Horatio Sharpe, Esq; Governor and Commander in Chief in and over the Province of Maryland:
The humble Address of the House of Delegates.

May it please your Excellency,

By the annexed Extract from the Report of the Committee of both Houses, to Inspect the Office and Proceedings of the Commissioners for Emitting Bills of Credit, established by Act of Assembly, and a Calculation added thereto, your Excellency will find, that Mr. Henry Darnall, Naval Officer of Patuxent District, has embezzled large Sums of Public Money; and as there is Reason to apprehend that a very considerable Part thereof is in Danger of being lost to the Province, we earnestly request, that you will not only cause the most effectual Steps to be taken for recovering the Money due to the Public, but that you will immediately remove him from his Office. We might here expatiate upon the Remonstrances that were ineffectually made against this Gentleman to your Excellency, by the Representatives of the People, when he acted in the Character of Attorney-General of Maryland; but we shall only just intimate, that the Objections that were then made to him, receive some Support from his corrupt Practices in the Office he fills at present: And as the Country may probably suffer very considerably by his Misdemeanors, we must beg Leave to recommend to your Excellency to be particularly cautious of disposing for the future of all Offices in such a Manner as to prevent a like Inconvenience.

^{p. 408} The Provision for Officers within this Government is very liberal, and when the Money drawn out of the Pockets of Individuals for

the general Utility, is embezzled by rapacious Officers, it becomes a grievous Oppression.

L. H. J.
Liber No. 51
May 2

The End of Instituting Officers is the Good of the Community, and we do beseech your Excellency to keep this End always in your View. Personal Favour, and private Attachments, we hope, will not be the only Motives in the Choice of Persons to execute the Laws; but that Ability, Uprightness, and such a Share of Property as may put them above the Temptation of Corruption, will be the prevailing Recommendations to your Excellency's Favour in all Promotions to Places of Profit and Trust: By such a Conduct, the People of this Province will reap the full Benefit of the Laws, the Interest of the Proprietor will be best consulted, and the Honour and Dignity of the Administration duly supported.

An Extract from the Report of the Committee of both Houses of Assembly, appointed to Inspect the Office and Proceedings of the Commissioners or Trustees for Emitting Bills of Credit, established by Act of Assembly.

The Naval Officer [Darnall] of Patuxent District in his Account, 1755, charges the Province as follows:

To John Knight's Exchange on Johnson and Company,	53	6	3
To Edward Barnes on Spencer for	34	12	5
<hr/>			
	£	87	18
Credits the Province by 15 d. p Hogshead on 995 } Hogsheads Tobacco,	62	3	9
And charges the Ballance to next Account,	25	14	11
<hr/>			
	£	87	18
	8		

Which Ballance of £25.14.11 he transfers to the Debit of his next Year's Account against the Province; but it does not appear that the above Two Bills, amounting to £87.18.8 were ever Credited by the Trustees; yet by their Account of the next Year they Credited the Province by John Hanbury on said Naval Officer's Account £62.3.9 from which, we apprehend, the said Bills were not paid; and the said Naval Officer has ordered Mr. Hanbury to pay the Nett Sum due only on the Tobacco, by the preceding Account exported; by which the said Ballance of £25.14.11 carried to next Account against the Province, should have been again Credited, and not being so, is still due to the Province

And for Ballance of his Accounts, 1756, he charges his Orders on William Perkins in Favour of Mess.^{rs} Hunt and Hanbury remitted,

25 14 11

p. 409

319 18 4

L. H. J.	And for Ballance of his Account, 1757, his Exchange	286 1 3
Liber No. 51 May 2	on Mr. William Perkins, to be remitted to the	
	Trustees by the first Ship,.....	
		£631 14 6

But your Committee don't find that the Trustees have Credited the Province with the said Sum of £319.18.4 and £286.1.3 by which your Committee is induced to believe the said Order and Bills were not paid, and that therefore the Ballance due from the said Officer to the Year 1757, is £631.14.6 as appears by the above Account; and your Committee take Leave further to Report to the Honourable House, that they cannot find that the said Naval Officer has rendered any Accounts for the 15 d. p Hogshead, for the Years 1758, 1759, 1760, or that the Trustees have Credited the Province with any Monies or Bills remitted by the said Officer for the said Three last Years; which your Committee think a great Breach of Duty in that Officer, and a great Injury to the Province.

So for the Report.

Since which the following Calculation is made from Minutes taken from the Book of Clearances of the Collector of Patuxent District, and Mr. Darnall's Accounts rendered to the Agent.

Ballance due in 1757, as per Report,..... £631 14 6

Hhds.

Exported in 1758,....	6699	
Losses charged,	431	as per his Account with the Agent at 1/3.....
	—	
	6268	
In 1759,	5131	as per Collectors Books at 1/3
The Loss not known,		
In 1760,	4562	as per his Account with the Agent at ditto.....
Losses charged,	402	
	—	
	4160	
From Sept. 29th, 1760, To April, 1761,	5881	as per Collectors Books at ditto.....
		367 11 3
		£1972 4 0

Which was Read and Assented to, and Signed, by Order of the House, by the Honourable Speaker.

p. 410 Ordered, That Mr. Carroll and Mr. Stoddert do acquaint his Excellency, That this House hath prepared an Address, to be presented to him, and desires to know when and where he will be pleased to receive it. They return and acquaint Mr. Speaker, That the Governor will receive it in the Conference Chamber, in Half an Hour.

Ordered, That Mr. Edward Tilghman, with Five more, do present the Address to his Excellency.

L. H. J.
Liber No. 51
May 2

Mr. Dorsey has Leave of Absence till Wednesday.

The Order of the Day being Read; the House proceeds to take the Petition of Capt. Evan Shelby into Consideration, and Referred the same to the Consideration of the next Session of Assembly.

His Excellency communicated to Mr. Speaker, the following Message:

Gentlemen of the Lower House of Assembly,

As it is not usual with me to order the Great Seal to be affixed to any Papers which I have not seen, you will, I hope, excuse me for declining to comply with your Request of Yesterday; besides, Gentlemen, altho' the Lower House of Assembly of this Province hath heretofore transmitted a separate Address to be presented to their Sovereign, yet I cannot learn that they ever desired to have the Great Seal affixed thereto; nor indeed can I conceive (tho' perhaps my ordering the Seal to be affixed to the Address you speak of, may be construed by some as a kind of Assent to it's Contents) that the Seal may be of any Consequence, since I cannot suppose you will desire any Person to present your Address, whose Character is not too well established, to leave any Room for his Majesty, or his Ministers, to suspect, that he would presume to offer any Address but an authentic One.

Hor.^o Sharpe.

2d May, 1761.

Which was read and ordered to lie on the table.

Charles Hammond, Esq; from the Upper House, delivers to Mr. Speaker, the Petition of John Paca, Robert Adair, and Margaret Paca; which was Read the first Time, and Ordered to lie on the Table.

The Journal of Accounts was Read and Assented to by the p. 411 Lower House of Assembly.

Ordered, That Mr. Govane and Three more carry the Journal of Accounts to the Upper House.

The House adjourns till Monday Morning 9 of the Clock.

Monday, 4th May, 1761.

May 4

The House met according to Adjournment: The Members were called, and all appeared as on Saturday, except Mr. Beall, Mr. Govane, and Mr. Dorsey. The Proceedings were Read.

Mr. Ringgold, Mr. Hynson, and Mr. Hammond, appear in the House.

The House adjourns till the Morrow Morning 9 of the Clock.

L. H. J.
Liber No. 51
May 5

Tuesday, 5th May, 1761.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Mr. Edward Tilghman brings in and delivers to Mr. Speaker, a Bill, entituled, An Act for processioning Lands, in Order to perpetuate the Bounds thereof, and for other Purposes therein mentioned; which was Read the first Time, and ordered to lie on the Table.

Mr. Ringgold brings in and delivers to Mr. Speaker, a Bill, entituled, An additional Supplementary Act to the Act, entituled, An Act for quieting Possessions, enrolling Conveyances, and securing the Estates of Purchasers. Read the first Time, and Ordered to lie on the Table.

Samuel Chamberlaine, Esq; from the Upper House, delivers to Mr. Speaker, the Petition of Samuel Chapman, and Arthur Collins; thus Indorsed, By the Upper House of Assembly, May 5th, 1761. Read and Referred to the Consideration of the Lower House of Assembly.

Which was Read the first Time, and Ordered to lie on the Table.

As also the Petition of snndry Inhabitants of Queen-Anne Town; thus Indorsed, By the Upper House of Assembly, May 5th, 1761. Read and Referred to the Consideration of the Lower House of Assembly.

Which was Read the first Time, and Ordered to lie on the Table.

p. 412

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment.

Mr. Murdock brings in the following Report:

By the Committee appointed to consider of and report to the House what Funds may be necessary to be raised for Erecting and Establishing a College within this Province.

Your Committee are of Opinion, that the House in the City of Annapolis, which was intended for a Dwelling-House for the Governor of this Province, for the Time being, be completely finished, and made Use of as the College proposed to be Established within this Province: The Expences of which, together with the Charges which will attend Building the Out-Houses, Gardens and Yards, and purchasing necessary Furniture, your Committee conceive it will amount, as per following Estimate, to..... £2258 0 0

For Finishing and Compleating the House,	£2000 0 0
For Furniture, Building Out-House, &c.	
7 Beds and Furniture for the Masters,	70 0 0
Furniture for 7 Rooms for Ditto,	42 0 0

Dining Room, Furniture for Ditto,	42 0 0	L. H. J.
Dining Room Ditto for Charity Boys,	5 0 0	Liber No. 51 May 5
14 Beds for Charity Boys,	84 0 0	
Servants Beds,	15 0 0	
Kitchen Furniture,	100 0 0	
A Brick Stable 24 by 24,	100 0 0	
A Garden, Yard, &c.	100 0 0	

[£2258 is incorrect; should read £2516] £2258 o o

For defraying the Expences whereof, your Committee give it as their Opinion, that all the Lands, Goods, and Chattels, belonging to the Free-School in the several Counties within this Province, be sold; the said Schools being in their Judgment but of small Advantage in the Education of Youth: The Money arising from such Sale it is supposed will be sufficient.

And your Committee are of Opinion, that the annual Expences of supporting the said College, so as to give the Masters proper Encouragement, will amount to, as appears by the following Estimate, £1510 0 0

A President, Salary a Year,.....	300	0	0	p. 413
First Master,	250	0	0	
Second, Third, and Fourth, £200 each,.....	600	0	0	
1 Mathematical Master,.....	200	0	0	
1 English and Writing Master,.....	100	0	0	
5 Servants and a Boy,.....	60	0	0	
				£1510 0 0

For defraying of which annual Expence, your Committee take Leave to recommend to the Honourable House, the following Funds:

A Tax on Ordinary-Licences £3 10 0	£600 0 0
Wheel-Carriages, 5 s. per Wheel.....	250 0 0
Negroes and Irish Papist Servants, 20 s. per	200 0 0
Batchelors 5 s. to 20 s.....	420 0 0
The Honourable Benedict Calvert's Donation to King William School, to be applied to the College,.....	40 0 0
	<hr/>
	£1510 0 0

Your Committee conceive that the Profit arising from the Scholars to be Educated in the said College, may amount to about £400 per Annum, which may be applied to the Maintaining and Educating 28 Charity Boys in the said College, that is, Two to be sent from

L.H.J. each of the Counties in this Province; the Residue to be applied
 Liber No. 51 to the defraying the Expences of the said College.
 May 5

All which is humbly submitted to the Consideration of the Honourable House.

Signed p Order, Richard Tilghman [Third], Clerk.

Which was Read the first Time and ordered to lie on the Table.

Mr. Ringgold brings in and delivers to Mr. Speaker, a Bill, entitled, An Act to establish a Market at the Market-House in Chestertown, Kent County, and for the Regulation of the said Market; Read the first Time, and Ordered to lie on the Table.

Mr. Govane appears in the House.

His Excellency communicated to Mr. Speaker the following Message:

p. 414 Gentlemen of the Lower House of Assembly,

As an Answer to the former Part of your Saturday's Address, concerning Mr. Darnall, the late Naval Officer of Patuxent District, I take the Liberty to communicate to you (and I desire they may be entered on your Journal) an Address that was presented to me last Tuesday by the Gentlemen of the Upper House (together with a Copy of the whole Report, of which you have been pleased to give me an Extract) a Letter that I thereupon wrote to his Lordship's Attorney-General, and his Answer, a Message which I sent to the Gentlemen of the Upper House the 30th of last Month, and another Address from them in Answer thereto; also Two Letters which I afterwards wrote to his Lordship's Attorney-General, and the Commissioners of the Loan-Office, with a second Answer from the Attorney-General; by which, I hope, you will be convinced, that before I received your Address I had taken every Step in my Power to prevent the Public's suffering Loss by Mr. Darnall's Misdemeanor.

If you recur, Gentlemen, to those Addresses of the Lower House to me, wherein Mr. Darnall was carpt at some Years ago, you will perceive that he was only objected to on Account of his supposed Attachment to the Principals of the Church of Rome notwithstanding he had, by a previous Compliance with every Test proposed by the Laws of Great-Britain and this Province, afforded a full Attestation of his Conformity to our present happy Establishment both in Church and State; but never did that House suggest to me, not the least Room did they give me to suspect, that he wanted the Requisites which you think ought, in all Promotions to Places of Profit and Trust, to be the principal Recommendation to Favour.

He had been in Office many Years before I arrived in the Province, and as far as I could learn, had executed it with Impartiality and

Uprightness: I had not, as I observed to the Lower House at that Time, had long Experience of him, and tho' I did soon afterwards appoint another Gentleman Attorney-General in his Stead, yet I was not induced to take that Step by any Suspicion of Mr. Darnall's being such a Person as ought not to be Trusted; and, Gentlemen, if they by whom the Lower House of Assembly was at that Time, or hath been since composed, entertained such a Suspicion, I cannot help thinking they used their Constituents, as well as the Lord Proprietary and Myself, very ill, in not advising me of it; for, had they done so, we should not probably have suffered the Loss that is now likely to fall on us by Mr. Darnall's Failure. But indeed I cannot prevail on myself to believe that (however averse some People may have been to his continuing Attorney-General, from an Apprehension that he might be inclined to shew Favour to Persons of the Romish Persuasion) either your Predecessors, or You, apprehended any Inconvenience would arise to the Public from Mr. Darnall's acting in the Capacity of Naval Officer, much less that he was likely to embezzle the Country's Money; otherwise I cannot account, Gentlemen, for your suffering so many Sessions to pass (as will I suppose cost the Province more than Twenty Thousand Pounds) since he was appointed Naval Officer, without once calling for his Accounts (which ought to have been lodged with your Clerk) and inspecting the Trustees Account, to see whether he had punctually performed his Duty, and in particular whether he had remitted to the said Trustees in London, the Money which you knew he must have collected by Virtue of the Laws of this Province. I say, Gentlemen, that if your Predecessors, or You, were apprehensive that his Conduct was not upright and just, I cannot account for yours, since I cannot suppose you connived so long at his Proceedings purely that you may have an Opportunity of saying at this Time, that he owes the Country a much larger Sum, over and above the Penalty of his Office Bond, than I fear will ever be paid.

L. H. J.
Liber No. 51
May 5

p. 415

As it would be, Gentlemen, very unjust to take Occasion, from the Misbehaviour of One, or of Two Officers, to insinuate any Thing to the Disadvantage of the Rest, I flatter myself you will, when you speak of Mr. Darnall's Conduct, avoid general Reflections, and distinguish the Innocent from the Guilty, being satisfied that none of you imagine any personal Favour or Attachment induced me to continue that Gentleman so long in Office: I shall be sorry if p. 416 what you have said should lead others to think so, or to suppose, that in bestowing Places of Trust or Profit, I have been influenced by such Motives rather than by a Regard for the Good of the Community, which you may be assured I shall always keep in View: And if at any Time hereafter, while I may reside among you, it should happen that an unworthy Person, (for I must often rely on the Recommendation of others) be appointed to an Office, you may

L. H. J. be confident that a Discovery of his Demerit, shall be to me a
 Liber No. 51 sufficient Incitement to such a Measure as may prevent any Loss
 May 5 to the Public from his subsequent Misbehaviour.

May 5th, 1761.

Hor.^o Sharpe.

Which was read and ordered to lie on the Table.

[*The Lower House failed to comply with the request of Governor Sharpe, contained in the first paragraph of the above message, that this house enter in its journal all the various addresses, messages, reports and letters which he had transmitted to it relating to the Darnall defalcation. The Governor and Council thereupon, under date of July 10, 1761, ordered Jonas Green, printer to the Province, to print them separately and to distribute a copy with each copy of the Votes and Proceedings of the Lower House for this session. The letters and papers omitted in the journal, but included in the pamphlet, are printed in the Appendix pages 519-522]*

On Progression in reading the Report brought in by the Committee appointed to consider of and report to the House what Funds may be necessary to be raised for erecting and establishing a College within this Province the Question was put that the Free [County] schools and Lands belonging to them be sold for the building and erecting a College.

Resolved in the Affirmative.

For the Affirmative,

Gassaway,	Owings,	Steuart,
Worthington,	Govane,	Crabb,
Carroll,	Baker,	Chapline,
Hammond,	Murdock,	Magruder,
Hanson,	King,	Cresap.
Smallwood,	Dulany,	

[17]

For the Negative,

Hynson,	Edmondson,	E. Tilghman,
Gresham,	Bowman,	M. Tilghman,
Ringgold,	Travers,	Harris,
Gantt,	Cockey Deye,	Scarborough,
Stoddert,	Mauldin,	Selby.

[15]

On Progression in Reading the Report aforesaid, the Question was put, That Carriage Wheels be Taxed. Resolved in the Affirmative.

For the Affirmative,

p. 417 Ringgold,	Smallwood,	Dulany,
Gassaway,	Cockey Deye,	Steuart,
Worthington,	Govane,	M. Tilghman,

Carroll,	Owings,	Crabb,	L. H. J.
Hammond,	Baker,	Chapline,	Liber No. 51
Gantt,	Mauldin,	Magruder,	May 5
Hanson,	Murdock,	Cresap.	
Stoddert,	King,		[23]

For the Negative,

Hynson,	Bowman,	Harris,
Gresham,	Travers,	Scarborough,
Edmondson,	E. Tilghman,	Selby.

[9]

On Progression in Reading the said Report, the Question was put, That Batchelors be Taxed. Resolved in the Affirmative.

For the Affirmative,

Hynson,	Hanson,	Steuart,
Ringgold,	Stoddert,	M. Tilghman,
Gassaway,	Smallwood,	Crabb,
Worthington,	Baker,	Chapline,
Carroll,	Murdock,	Magruder,
Hammond,	Dulany,	Cresap.

[18]

For the Negative,

Gresham,	Govane,	Harris,
Gantt,	Owings,	Scarborough,
Bowman,	Mauldin,	Selby.
Travers,	King,	
Cockey Deye,	E. Tilghman,	

[13]

The Report aforesaid being Read a second Time, the Question was put, That this House do concur therewith. Resolved in the Negative.

For the Negative,

Hynson,	Bowman,	E. Tilghman,
Gresham,	Travers,	M. Tilghman,
Ringgold,	Cockey Deye,	Harris,
Gantt,	Owings,	Scarborough,
Stoddert,	Mauldin,	Selby.
Edmondson,	King,	

[17]

For the Affirmative,

Gassaway,	Smallwood,	Steuart,
Worthington,	Govane,	Crabb,
Carroll,	Baker,	Chapline,
Hammond,	Murdock,	Magruder,
Hanson,	Dulany,	Cresap.

[15]

L. H. J.
Liber No. 51
May 5

p. 418 Stephen Bordley, Esq; from the Upper House, delivers to Mr. Speaker, the following Bills:

A Bill, entituled, An Act for Trial of Matters of Fact in the several Counties where they have arisen or shall arise; thus Indorsed, By the Upper House of Assembly, 5th May, 1761. Read the second Time, and will not Pass.

Signed p Order, J. Ross, Cl. Up. Ho.

A Bill, entituled, An Act for issuing Writs of Replevin out of the County Courts; Indorsed, By the Upper House of Assembly, May 5th, 1761. Read the second Time, and will not Pass.

Signed p Order, J. Ross, Cl. Up. Ho.

On Motion, Leave was given to bring in a Bill for the Relief of sundry Prisoners in Frederick County Goal;

Ordered, That Mr. Edward Tilghman, Mr. Matthew Tilghman, and Mr. Hanson, do prepare and bring in the same.

The House adjourns till the Morrow Morning 9 of the Clock.

May 6

Wednesday, 6th May, 1761.

The House met according to Adjournment: The Members were called, and all appeared as Yesterday. The Proceedings were Read.

Mr. Govane brings in a Bill, entituled, An Act to impower Mary Stansbury, Widow and Administratrix, with the Will annexed, of Tobias Stansbury, late of Baltimore County, Deceased, to sell the Lands therein mentioned, for the Payment of the Debts of the said Tobias Stansbury; which was committed for Amendment; which was Read a second Time, and will Pass.

Ordered, That Mr. Ringgold and Mr. Govane do carry the said Bill to the Upper House.

Mr. Hanson brings in and delivers to Mr. Speaker, a Bill, entituled, An Act to enable James Hollyday, legal Representative of James Hollyday, Esq; Deceased, late Treasurer of the Eastern Shore, to draw Bills for the Money therein mentioned; which was committed for Amendment; which was Read a second Time, and will Pass.

Ordered, That Mr. Hanson and Mr. Govane do carry the said Bill to the Upper House.

Resolved, That this House will receive no new Business after the Morrow Morning.

The Bill, entituled, A Supplementary Act to the Act, entituled, p. 419 An Act for emitting and making current £90,000 Current Money of Maryland in Bills of Credit; and also to amend certain Defects in an Act, entituled, An Act to oblige the Naval Officers to give

sufficient Bonds for what Monies they shall receive belonging to the Public, was Read the second Time, and committed for Amendment.

L. H. J.
Liber No. 51
May 6

A Bill, entituled, An Act to Repeal Part of an Act, entituled, An Act to prevent certain Evils arising from entering up Judgments upon Bonds, commonly called Judgment Bonds, to direct the Manner of issuing Executions on Loan-Office Bonds, and to regulate certain Fees therein mentioned, and also for the more easy Foreclosure of Mortgages, was Read the second Time, and committed for Amendment.

Ordered, That Mr. Matthew Tilghman, Mr. Murdock, Mr. Carroll, Mr. Hammond, and Mr. Edward Tilghman, do prepare and bring in an Address to the Governor, in Answer to his Message of the 5th of May.

A Bill, entituled, An Act to establish a Market at the Market-House in Chester-Town in Kent County, and for the Regulation of the said Market, was Read the second Time, and will Pass.

Ordered, That Mr. Ringgold and Mr. Govane do carry it to the Upper House.

A Bill, entituled, An Act to preserve the Breed of Fish in the River Susquehanna, was Read the second Time; and thereupon the Question was put, That the same do Pass. Resolved in the Affirmative.

For the Affirmative,

Hynson,	Bowman,	Steuart,
Gresham,	Travers,	M. Tilghman,
Gassaway,	Baker,	Harris,
Worthington,	Mauldin,	Scarborough,
Ringgold,	Murdock,	Crabb,
Edmondson,	King,	Magruder,
Carroll,	Dulany,	Cresap.

[21]

For the Negative,

Gantt,	Hammond,	Owings,
Hanson,	Cockey Deye,	Stoddert,
Smallwood,	Govane,	E. Tilghman.

[9]

Ordered, That Mr. Baker and Mr. Mauldin do carry the said Bill to the Upper House.

The House adjourns till 2 of the Clock Afternoon.

Post-Meridiem. The House met according to Adjournment. p. 420

Mr. Ringgold brings in a Bill, entituled, An Act for the speedy and effectual Publication of the Laws of this Province, and for

L. H. J. Encouragement of Jonas Green, of the City of Annapolis, Printer;
 Liber No. 51 Read the first Time, and Ordered to lie on the Table.
 May 6

On Motion, Leave was given to oblige the Clerks who write in the several public Offices, to take the Oath of Office, and the several Oaths to the Government, That Mr. Edward Tilghman, and Mr. Thomas Ringgold, do prepare and bring in the same.

Mr. Carroll delivers to Mr. Speaker the following Proposal for establishing a College:

That the Lord Proprietary make a Grant of the Four Acres of Land whereon the Governor's House stands.

That as soon as the above Grant be made, the Visitors, or Persons nominated for the Purpose, may agree for necessary Repairs, Out-House, Gardens, &c. to be described at Length in the Bill, and all Furniture to a certain Amount.

That all the above be paid for, by Way of Subscription and Lottery.

The Subscription to be paid into a certain Number of Visitors near at Hand, at certain Times to be appointed in the Bill.

Those Visitors to be nominated as Managers of the Lottery.

One Representative of each County to be named a Visitor, with those at present of King William's School; and for Succession, a Resident (by Law) in each County to be chosen.

The Money arising upon the Scholars to be applied to Twenty-eight Charity Boys, to be recommended by the County Courts, two from each County.

That there be a Clause to make good Title to the Ground, against all Claims whatsoever.

That King William's School, as soon as the College is erected, be made fit for the Assembly, by Direction of Commissioners to be named in the Bill.

That the Visitor in each County, and such other Persons as the Visitors or Managers aforesaid may appoint, shall take Subscriptions, and sell Tickets, and account with the above Visitors.

p. 421	Taxes proposed, Ordinary Licences,	£600
	Wheel Carriages,	250
	Wine not from Great-Britain,	
	Card Tables, 10 s.	50
	Billiard Tables,	40
	Calvert's Donation,	40
	Batchelors Tax, Value £300 to £500. 15 £500 and upwards 25 s.	

Which was Read, and thereupon the Question was put, That this House do concur therewith. Resolved in the Affirmative.

For the Affirmative,

Hynson,	Govane,	Steuart,
Ringgold,	Owings,	E. Tilghman,
Worthington,	Baker,	M. Tilghman,
Carroll,	Mauldin,	Harris,
Gantt,	Murdock,	Scarborough,
Hanson,	King,	Crabb.
Stoddert,	Dulany,	

[20]

L. H. J.
Liber No. 51
May 6

For the Negative,

Gresham,	Edmondson,	Selby,
Gassaway,	Bowman,	Chapline,
Hammond,	Travers,	Magruder,
Smallwood,	Cockey Deye,	Cresap.

[12]

Mr. Selby has Leave of Absence.

Benedict Calvert, Esq; from the Upper House, delivers to Mr. Speaker, a Bill, entituled, An Act for encouraging a Collection and Publication of the Laws of this Province; Indorsed, By the Upper House of Assembly, May 6th, 1761. Read the first Time, and Ordered to lie on the Table.

And thus, By the Upper House of Assembly, May 6th, 1761. Read the second Time, and, with the Amendments, will Pass.

Signed p Order, J. Ross, Cl. Up. Ho.

John Ridout, Esq; from the Upper House, delivers to Mr. Speaker the Journal of Accounts; thus Indorsed, 6th May, 1761. p. 422 Read and will not be Assented to.

Signed p Order, J. Ross, Cl. Up. Ho.

Samuel Chamberlaine and Benedict Calvert, Esquires, from the Upper House, acquaint Mr. Speaker, That the Governor requires the Attendance of this House immediately in the Council Chamber.

Mr. Speaker left the Chair, and, with the Rest of the Members of the Lower House, attended his Excellency in the Council Chamber, when his Excellency made the following Speech:

Gentlemen of the Upper and Lower Houses of Assembly,

I have thought fit, with the Advice of his Lordship's Council of State, to Prorogue this Assembly to the First Monday in August next; and you are to take Notice you are Prorogued to that Day accordingly.

So Endeth this Convention in Assembly, this Sixth Day of May, 1761.

Test. John Allen Thomas, Cl. Lo. Ho.

APPENDIX

I
PAROCHIAL AFFAIRS

ALL SAINTS PARISH, FREDERICK COUNTY

[A BILL FOR DIVIDING ALL SAINTS PARISH, PASSED BY
THE UPPER HOUSE AND REJECTED BY THE LOWER HOUSE,
AT THE MARCH-APRIL, 1760, SESSION.]

An Act for Dividing All Saints Parish in Frederick County and
for Erecting a Chappel of Ease there into a Parish Church.

Whereas the Inhabitants of the upper part of all-Saints Parish in
Frederick County have by their Petition to the Present General As-
sembly represented that a very considerable part of the Inhabitants
of the said Parish are by reason of the great Extent thereof deprived
of the benefit of publick Worship and hearing Sermons and have
therefore prayed that the said Parish may be Divided by a line drawn
from the River Potowmack to and with the Ridge of the Kittockton
Mountains untill it Intersects the Temporary Line and also that the
Chappel of Ease now standing between Conecochiege and Antietum
may be erected into a Parish Church.

Be it therefore Enacted by the Right Honourable the Lord Pro-
prietary by and with the Advice and consent of his Lordships Gov-
ernor and the Upper and Lower Houses of Assembly and the
Authority of the same, that from and after the End of this present
Session of Assembly the aforesaid Parish of All-Saints in Frederick
County aforesaid shall be and is hereby declared to be Divided by
a Line drawn from Potowmack River to and with the Ridges of the
Kittockton Mountains untill it Intersects the Temporary Line, and
that all such part of the said Parish as shall lie and be on the South
and East sides of the said lines, shall remain and continue All-Saints
Parish, and that all such part thereof as shall lie and be on the North
and West sides of the aforesaid line shall be and is hereby declared
to be from the end of this present Session as aforesaid erected into
a new district and Seperate Parish by the Name of All-Souls Parish,
and shall and after the time aforesaid be deemed, reputed, adjudged
and taken for All-Souls Parish, and not as part or parcell of All-
Saints Parish as heretofore the same hath been, and that the Line
aforesaid shall always thenceforth be deemed, reputed and taken
to be the undoubted Boundary between the said two Parishes. And
that all the Inhabitants, of All-Souls Parish aforesaid shall have and
Injoy all such Benefits, priviledges, powers and Authority's in every
respect as the Inhabitants of any other Parish within this Province
now have or hereafter may have or enjoy, And Be it further Enacted

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by the Authority aforesaid that the Chappell now standing between Conegochege and Antietum shall be from the end of this present Session of Assembly and shall be deemed, Reputed and taken to be the Parish Church of All Souls Parish aforesaid, any Law usage or Custom to the Contrary thereof in any wise notwithstanding And that the Freeholders of All-Souls Parish aforesaid at a Certain day to be by them after the end of this Session appointed shall have full and ample Power to Elect and Chose Six Vestrymen and two Church Wardens, and the same to alter and renew at such times and in Such Manner as the Laws of this Province do in Like case Direct And that the said Vestrymen and Church Wardens shall be Invested with the same powers, Privilidges and Authorityes as Vestrymen and Church Wardens of other Parishes within this Province are Vested with

An Act for Dividing All Saints Parish in Frederick County and for erecting a Chappel of Ease there into a Parish Church

By the Upper House of Assembly 9 April 1760

Read the first time & ordered to lye on the Table

Signed p Order J Ross Cl Up Ho

By the Upper House of Assembly 10 April 1760

Read the second time and will pass

Signed p Order J Ross Cl Up Ho

By the Lower house of Assembly 10.th April 1760.

Read the first and Second time by an Especial Order & will not pass.

Signed p Order MMacnemara Cl lo ho

[A PETITION, UNDATED, BUT APPARENTLY OF THIS PERIOD, SIGNED BY SUNDRY INHABITANTS OF ALL SAINTS PARISH, TO THE GOVERNOR AND GENERAL ASSEMBLY PRAYING THAT A TAX BE IMPOSED FOR REBUILDING THE PARISH CHURCH AND TWO CHAPELS.]

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To his Excellency Horatio Sharpe Esq.^r Governor and Commander in Chief in and over the Province of Maryland, and the Honourable the Upper and Lower Houses of Assembly.

The Petition of Sundry Inhabitants of the Parish of All-Saints in Frederick County, for themselves and in Behalf of their whole respective Neighbourhoods.

Most humbly sheweth

That Three several Subscriptions having been set on Foot among the respective Inhabitants frequenting the three Established Places

of Worship, were carried on with great Spirit for enlarging or rebuilding the Parish Church and two Chapels belonging to the said Parish.

That the Vestry thought proper to apply the Money in their during the late vacancy of the Parish, and from a Parochial Tax, towards enlarging the Parish Church at Frederick Town; which together with the Voluntary Subscriptions made to the Enlargement of the said Church is sufficient to compleat the Addition contracted for.

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That the Chapel below Monocacy, a crazy wooden Building, hath (upon a View by skilful Persons) been judged not worth the Repairing: and the Chapel beyond the

on so narrow and Contracted a Plan, as not to [be cap]able of holding One Third Part of the Congregation willing and desirous to attend Divine Service there, cannot be enlarged with any Profit or Convenience: So that it is absolutely necessary to rebuild both Chapels upon better Plans and with more durable Matteringials.

Your Petitioners therefore most humbly pray that an Act may pass enabling the Justices of Frederick County, aforesaid, to le[vy] on the Taxable Inhabitants of the said Parish the Sum of One [hundr]ed a[nd] Twenty Thousand Pounds of Tobacco; payable in Money as other Public Dues; by Three equal Assessments to be laid at the Three Successive November Courts in the Years 1761, 1762 & 1763, exclusive of the Sheriff's Salary, to be paid into the Hands of the Vestry for the Time being, and by them applied by equal portions together with the Moneys respectively subscribed, toward the Reb[uilding] Compleating and Finishing the two respective Chap[els]

And they will ev[er] [pray]

Tho^s Prather
Van Swearingen Jun.
Charles Swearingen
John Stull
James Winder
Daniell M^cCoy
Ja:^s Perry
Jam:^s Handthorn
John Mackentire
Joseph Helms[or Kelms]
John Rutter
Thomas Scarlett
James White
Thomas Tomkins
John Henthorn
Ralph Higginbotham

Tho^s C— Raboteau [?]
Rich.^d Carter
Robert Jackson
Hugh Jackson
Joseph Lazear Jun^r
Ezekiel Chainey
Van Swear[ingen]
John Jngri
Shadrach Chainey
Jon.^a Willson
Jeremiah Davoll
Leon.^d Wayman Jun.^r
Garith Davis
William Hase
Alex^r Pearre
Newton Chiswell

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Hall of Records	John Perins	Ro. ^{bt} Wilson
	John [———]	William Wheat Jun
	Edward Dawson	William Summers
	Will ^m Norris	William Patrick
	Zacharia Rickets	Aquilla Compton
	Nathan China	

PRINCE GEORGE'S PARISH, FREDERICK COUNTY

[A PETITION, UNDATED, BUT APPARENTLY OF THIS PERIOD, FROM THE VESTRY, CHURCHWARDENS, AND FREEHOLDERS OF PRINCE GEORGE'S PARISH, PRAYING THE PASSAGE OF AN ACT TO DIVIDE THE PARISH.]

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To his Excellency Horatio Sharpe Esq.^r Governer and Commander in Chief in and over the Province of Mary Land and the Hon.^{ble} the Upper and Lower Houses of Assembly

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The Petition of the Vestry men Church Wardens & freeholders of Prince Georges Parish in Fred.^k County humbly Sheweth—That the said Parrish is so Extensive which makes it so Inconvenient that the Chief or Gratest part of the Inhabitants thereof, Can but verry Seldom Repair to Public Worship to the Great Discouragement of Religion and virtue, and we therefore take leave, as the Said Parrish is now Very Sufficient to Support two Ministers, to pray your Hon.^{rs} will make an Act to divide the Said Parrish by a line Drawn from the lower falls of Potomack, to Will.^m Richardson Bridge that Crosses Patuxent River by said Richardsons Dwelling Plantation or at any other Place your Hon.^{rs} In your grater Wisdom may think more Convenient and your Petitioners in Duty Bound Will Pray.

Sign'd by the Vestry men & Church Wardens

Vestrymen Viz. ^t	Church Wardens
Nathan Magruder	William Fee
Robert Owen	Edward Gaither
James White	
Samuell Magruder	
Lau ^{ce} Owen	
William Lee	
Hezekiah Magruder	

Zadock Magruder	John Madox
James Beall Sr.	Alex Jackson

Samuel White Jun ^r	Rob ^t Buchan	MSS.
William Spiers Sen ^r	W. ^m Peerce	Archives
Edward Owen Sen ^r	Arch. ^d Peerce	of Md.
Richard Gattrall	Cha: ^s Jones	Black Book
Francis Gattrall	Nin Tannehill J ^r	No. 10
John Holmes	Hugh tomisson	Letter 109
Richard Thralls	Tho: ^s Dowden	Hall of
Daniel Williams	Edw. ^d V. Harbin	Records
Edward Loury	Jarem ^{ah} M Macknes[s]	
Nathan Holland	W ^m Young	
William Holland	Geo: Beall	
Edward Owen Jun ^r	Geo: Beall J ^r	
Basil Adamson	Nath Magruder	
Samuel West	R. ^c Thompson	
his	Joseph Belt	
Edw. ^d X Doring	Josi Beall	
mark	Jn. ^o Gibson	
Tho ^s Nichols Jn ^r	Robert Peters	
Joshua Busey	John Crosthwaite	
James Burnes	Perygren Mackness Junr	
Tho ^s Harris	James Ray	
William Hall	Frances Wodard	
James Evens	Hugh Willson	
Reynolds Allen	Thomas ———	
Zachariah White	James Thomalonson	
Dawsen Cash	Ninian Riley	
John Cash	Jn. ^o Ray Jun. ^r	
John Wightt	John Hearben	
Henry Duly	John Farguson	
John Ray Sener	Vachel Medcalfe	
Asborn Talburt	Wm Brown	
Ja. ^s Wallace Jun ^r	John Hopkins	
Rich. ^d Bowes	James Hopkins	
U. H.	Richard Hopkins	
Clement Beall	W ^m Pritchett	
John Brown	Jo ^a Pritchett	
Thomas Cramphin	Michael Carter	
John Beall	Kinsey Gittings	
Thomas Pearce	Thomas Allison	
John Clagett	Beniamen S. Allison	
Walter S. Greenfield	Leonard Johnson	
John Briscoe	—— O Neall	
William Duddingston	James Mack (?)	
Luke Winsor	Anthony Holmead	
Tho ^s Thomas	Samuel Duvall	
John Swifford	William Offutt the 3 ^d	

MSS. Archives of Md.	Walter Evans	Tho ^s Offutt
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Letter 109	Eliphas Riley	Benj ^a Perry
Hall of Records	David Burns	John Kindrick
	John Maclean	John Paptis Lovlis
	Willis Dent	Edm. ^d Riggs
	John Banks	Henry Clagett
	Benj. ^a Holland	James Robarts
	W. ^m Ricketts	William Boyd
	James Perry	Tho. ^s Cleland
	Nathaniel Offutt	Elisha Williams
	Philip Casey	William Davis
	James Casey	John Cook
	Ralph Holt	Josiah James
	Henry Burgus	W ^m Jones
	Tho. ^s Daviss	Joseph Glaze
	Rob. ^t Beall S N	John Swann
	Joseph West Senr	Rich. ^r Anderson
	Benj ^a Kelley	James I Tunle
	John Jones	Nich. ^s Baker
	John West	Clementius Davis
	Benj ^a West	John Cheshire
	William Williams Sen ^r	Burtch Cheshire
	William Daviss Sen ^r	Richard Alison
	George Rea	

[A PETITION, UNDATED, BUT APPARENTLY OF THIS PERIOD, SIGNED BY THE VESTRY AND SUNDRY INHABITANTS OF PRINCE GEORGE'S PARISH, PRAYING FOR THE PASSAGE OF AN ACT FOR THE ERECTION OF A CHAPEL ON HAWLINGS RIVER, A BRANCH OF THE PATUXENT.]

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To his Excellency Horatio Sharpe Esq^r Governor & Commander in Chief in and over the Province of Maryland; and to the Honourable the upper & Lower Houses of the Assembly at this Time convened.

The Petition of the Vestry and Inhabitants of Prince Georges Parish in Frederic & Prince Georges Counties Humbly Sheweth— That the Parishioners residing upon and in the Neighborhood of a branch of Patuxent commonly called Hawlings River, are in the greatest want of a Chapel of Ease

This Petition therefore most humbly prayeth that his Excellency & the Honble the upper & Lower Houses of Assembly would be graciously pleased to pass an Act to impower the County Courts of Frederic and Prince George Counties to levy upon the Taxable

Inhabitants of Prince Georges Parish, such a Sum of mony as to their Honours may appear sufficient for erecting a new Chapel to be located upon or near the Branch of Patuxent commonly called Hawlings River.

And His Excellencys and their Honours Petitioners, as in Duty Bound, shall ever pray

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Signed p order of the Vestry

Robert Lemar	Mathew Pigman
William Waters	Daniel Williams
William Lucas	Calder Hayman
Thomas Riggs	Thomas Davis
Peter Pierce	Lodowick Davis
Elisha Riggs	John Forrest Davis
Rich. ^d Fitzgerald	William Phillips
Robert Owen	Charles Penn
John Musgrove	Edward Penn
David Lynn	Benjamin Gaither
David Carlile J. ^r	Henry Leeke
Aquila Standeford	Stephen Gartherill
Charles Case	John Holland
Michael Ashfordowden	Henry Leeke Jun. ^r
William Holland	Joseph Leeke
Arnold Holland	George Gue
Ger. ^d Briscoe	Thomas Gartherill
Sam. ¹ Richardson	Josiah Holland
Hugh Thomas	Francis Gartherill
Richard Berry	Aaron Gartherill
Ephraim Davis	Benjamin Darbey
John Riggs	George Darbey
Samuel Brown	Thomas Johnson
John Acred	William Johnson
Richard Macklefish	Edward Chambers
Abel Acred	William Richardson
Charles Calihorn	William Mace
Edward Gaither	Richard Clarke
Christopher Hyat	George Bowman
John Prather	Uriah Virgin
Zach. ^a Spiers	John Lanham
Henry Gaither J. ^r	Vallentine Felton
Nathaniel Ward	John Barns
Lewis Duvall Sen. ^r	Jacob Barns
Aquila Duvall	Nathan Holland
John Peirce Duvall	Samuel White
Lewis Duvall J. ^r	Joseph _____
Edward Crow	Robert Kend[all]

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Samuel Farmer
John Owen
Robert Daw
James Sargent
Snowden Sargent

James Kendall
Henry Gaither Sen^r
Edward Gaither Jun^r
Frederick Bowman
Darby Murphey

SAINT STEPHEN'S PARISH, CECIL COUNTY

[A PETITION, DATED JULY 8, 1760, FROM THE RECTOR,
VESTRY, AND CHURCHWARDENS OF ST. STEPHEN'S PARISH
PRAYING FOR AN ACT TO VALIDATE CERTAIN IRREGULAR
VESTRY PROCEEDINGS.]

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To The Honourable, Upper & Lower houses of Assembly Of
the Province of Maryland

The Petition of the Rector, Vestrymen, & Churchwardens of
Saint Stephens Parish, in Cecil County.

Humbly Sheweth, That Whereas the Laws of this Province Have
Appointed a Particular day for the Electing & choosing Vestrymen &
churchwardens, yearly & every year, and Last Easter monday being
the prefixed day for Electing. We Your Petitioners could not Attend,
on Account of the Small Pox being at the Church at the time, and
our families, & selves Several of us not ever having it Looking
upon it dangerous. Desered meeting 'til the next vestry day in
course, when We met & proceed to make choice of new vestrymen &
Churchwardens &c. We therefore pray your Honours make an
Act To Confirm & make good the Proceedings of the said Vestry
And to grant us a Limitation of some days for the future To make
our Election least some weather or Sickness Should Prevent our
meeting on one Prefixed day ~~for the future~~ Also To Confirm our List
of Bachelors fines made out this day And your Petitioners Will
pray &c.

July 8th 1760

Henry W: Pearce
Nathⁿ Hynson

H. Jones Rec't
William Barroll Rect
Berthw Cherington
John Stockton
James Wroth
James Coppin
John Ward

II

LANGUISHING PRISONERS FOR DEBT

[SIX SEPARATE PETITIONS, 1758-1760, TO THE GOVERNOR AND GENERAL ASSEMBLY FROM PETER ROBINSON, BASIL BECKWITH, JOHN METCALFE, JOHN TURNBULL, AND JOSEPH LUCKSINGBURG, PRISONERS FOR DEBT LANGUISHING IN COUNTY JAILS, PRAYING RELIEF.]

PETER ROBINSON

To his Excellency Horatio Sharpe Esquire Governor of Maryland,
[and to the] Honourable the Upper and [Lower Houses].

The Petition of Peter Robinson a languishing Prisoner in Prince
Georges County

Humbly sheweth—

That your Excellency's & Honours Petitioner hath been confined
for Debt ever since August 1755: and is not able to redeem his Body
with all the effects & Interest he hath, which he is willing to sur-
render to his respective Creditors if they would please to accept of
the same & grant your Petitioner his liberty thereon.

That your Petitioner hath a Wife & three Children that suffer
much by reason of his long Confinement.

That your Petitioner is far advanced in the 45th year of his Age,
& being in the 3^d year of his Confinement (where he hath suffered
Heats & Colds & Sickness, w:^{ch} joyned w:th the want of Sun, Air &
Exercise) he finds his Consti[tution] . . . impaired that he fears
(unless your Excellency & . . . Object to Publick Compassi[on]
. . . useful either to his Family in . . . He therefore most humbly
begs your Excellency & Honours to grant some Law to pass for his
Relief such as to your Wisdom seem most meet.

And your Petitioner will for your Excellency & Honours pray—

Peter Robinson

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BASIL BECKWITH

To His Excellency Horatio Sharpe Esq^r Governor of Maryland
And To the Honourable the upper and Lower House of Assembly.

The Petition of Basil Beckwith Humbly Sheweth. That your
Petitioner Is a Languishing Prisoner in Custody of The Sheriff of
Frederick County for Debt, for Divers Sums of Money and Tobacco,
Which by Reason of Great Losses and Misfortunes he is Unable to
pay, Your Petitioner has been a Prisoner in Close Confinement for
the Two Years and four Months last past. Your Petitioner has made

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Every offer that is in His Power to Performe to his Creditors to no purpose Your Petitioner Prison Fees is Mounting Very high Which with the Expences he has been Obliged to be at, as long as he has any Thing of his Own to Subsist on, he not being used to Prison fees must is a small Time now Inevitably be his Ruin And Family Which Consists of a Wife and three Children Your Petitioner has been Informed That a Debt he Owes in The Loan office stopped his last Petition That Debt [is ?] Satisfy by Executing your Petitioners Land Your Petitioner is Willing [to] surrender up all his Estate Both Real and personal for the Ben[efit] of his Creditors And Humbly Pray your Excellency and Honours [will] take his Melancholy Condition into your Serious Consideration and Grant him Relief And Your Petitioner as in Duty bound Will Ever pray

Basil Beckwith

Frederick County March 20th 1759

We the Subscriber Justices of the peace for ye county afs.^d do certify that Basil Beckwith your Petioner has been for a considerable Time a Prisoner in the County Goal for Debt, and therefore Recommend him as an Object of Charity.

Tho Beatty

Pet^r Bainbridge

Jos. Wood

David Lynn

Jos. Smith

Mos : Chapline

I hereby Certifie that Th.^o Beatty Jos Wood Jos Smith Pet Bainbridge David Lynn and Mos Chapline Subscribers to the within Petition were at the time of Signing and still are of his Lordships the Right Honourable Proprietarys Justices of the Peace for Frederick County In Testimony whereof I have hereunto set my hand & affixed the Public Seal of said County this Twenty-eighth day of March Anno 1759

John Darnall Clk

Fred Coty

JOHN METCALFE

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To His Excellancy Horatio Sharpe Esq.^r Governor of Maryland And to the Honourable the upper and Lower Houses of Assembly the Humble Petition of John Metcalfe Humbly Sheweth—

That your Petitioner is and has been a long time a Languishing Prisoner In the Custody of the Sheriff of Frederick County for Divers Sums of Money and tobacco—which by Reason of Great

Losses and other Misfortunes he is unable to Pay your Petitioners has made Every Offer that is In his Power to his Creditors to no Purpose Your Petitioner is willing to Surrender up All his Estate Both Real and Personal for the Binifit of His Creditors and Humbly Prays Your Excellency and Honours will be Pleased to take his miserable Condition into Your Serious Consideration And Grant him Relief by an Act of Insolvency And your Petitioner as in Duty Bound will Pray.

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John Metcalfe

Frederick County

We the Subscribers Justices of the peace for the County aforesaid do Certify that John Metcalfe Your Petitioner is a Prisoner a long time in the County Goal Aforesaid for Debt and therfor we Recommend him to Your Excellency and Honours as an Object of Charity

Th: Beatty

David Lynn

Jos Wood

Mos: Chapline

Jos Smith

Tho: Norris

Pet: Bainbridge

I hereby Certifie that Tho: Beatty, Jos Wood Jos Smith Pet: Bainbridge David Lynn Mos Chapline & Tho: Norris Subscribers to the above Petition were at the time of signing and still are of his Lordships the Right Honourable the Lord Proprietarys Justices of the Peace for Frederick County. In Testimony whereof I have hereunto set my hand and affixed the Public Seal of said County this Twenty eighth day of March 1759—

SEAL

John Darnall Clk

Fred Coty

JOHN TURNBULL

To His Excellency Horatio Sharp Esq: Governor, and Commander in Chief, in, and over the Province of Maryland; and to the Honourable the upper, and lower Houses of Assembly.

The Humble Petition of John Turnbull.

Humbly Sheweth

That your Petitioner is a poor Languishing Prisoner, in the Custody of the Sheriff of Frederick-County, allmost four years, for divers Sums, and Tobacco, which by reason of great Losses, and Misfortunes, has rendered him unable to discharge the same; but is willing and desirous to surrender up, all his Estate both real, and personal; for the benefit of his Creditors. Humbly Prays that your

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Excellency and Honours will compassionately take his unhappy and deplorable Situation, into your Considerations; and grant him such relief as to your Excellency and Honours Shall seem meet. And your Petitioner shall as in duty Pray &c

Fredrick County

We his Lordships Justices of the Peace for the said County, do hereby Certifie that the above Petitioner John Turnbull is a Prisoner in the said County for Debt, and therefore we do hereby recommend him to your Excellency and honours as a object of Charity.

Th.^o Beatty
Jos. Smith
Cha.^s Jones
Pet.^r Bainbridge
W.^m Luckett

David Lynn
Mos. Chapline
Jos. Wood
Andrew Heugh
Tho.^s Norris

I hereby Certifie that Thos^s Beatty Jos Smith Cha^s Jones Pet^r Bainbridge Wm^m Luckett David Lynn Mos Chapline Jos Wood Andrew Heugh & Thos^s Norris were at the time of Signing the above Petition of his Lordships the R.^t Honourable the Lord Proprietaries Justices of the Peace for Frederick County In Testimony whereof I have hereunto set my hand and Affixed the Public Seal of said County this 10th day of March Anno Dom 1760

SEAL

Jn^o Darnall Cl.

JOSEPH LUCKSINGBURG

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To His Excellency Horatio Sharpe Esq.^r Governor of Maryland And to the Honourable the upper and Lower Houses of Assembly

The Petition of Joseph Luckinburg Humbly Sheweth that your Petitioner is a Languishing Prisoner in Custody of the Sheriff of Frederick County For Debt, for Divers sums of money and Tobacco Which by Reason of Great losses and Misfortunes is unable to pay. Your Petitioner has made Every offer to His Creditors that is in his power to performe Even the Indenting himself for a Servant all which is to no Purpose but your Petitioner must still continue a Prisoner. Your Petitioner is willing to surrender up all his Estate both real and Personal for the Benefit of his Creditors, And Humbly Pray Your Honours will take his Melancholy Condition into your Serious Consideration and Grant him Relief by an Act of Insolvency And your Petitioner as in Duty bound will ever Pray.

Joseph Lucksingburg

Frederick County March 22th 1759 Will the Subscribers Justices of the Peace for the County Afs.^d do Certify that Joseph Luckinsburg your Petitioner Has been for a Considerable time a Prisoner In Custory of the sheriff of the afs.^d Co.^{ty} for Debt and therefore Recommend As an Object of Charity.

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Th.^o Beatty

Pet.^r Bainbridge

Tho^s Norris

Mos : Chapline

I hereby Certifie that Tho Beatty, Th.^o Norris Pet^r Bainbridge & Mos. Chapline Subscribers to the Above Petition were at the time of Signing and still are of his Lordships the Right Honourable the Lord Proprietary Justices of the Peace for Frederick County In Testimony whereof I have hereunto set my hand and affixed the Public Seal of said County this Twenty-eighth day of March Anno 1759

SEAL

Jno Darnall Clk

JOHN METCALFE

To His Excellency Horatio Sharp Esq.^r Governor & Commander In Chief, in and over the Province of Maryland; and to y^e Honourable the Upper and Lower Houses of Assembly.

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The Petition of John Metcalfe.

Humbly sheweth—

That your Petitioner is a Languishing Prisoner, in the Custody of the Sheriff of Frederick County, for this three Years; for divers sums of money, and Tobacco; which through great Losses, and Misfortune, is rendered uncapable of discharging the same: Your Petitioner is willing to surrender up all his Estate real, and personal, for the benefit of his Creditors Humbly prays that your Excellency, and Honours, will take his miserable unhappy Circumstances into your Consideration, and grant him such relief as to your Excellency, and honours, shall seem meet. And your Petitioner shall as in duty bound ever Pray &c.

Frederick County—We the Subscribers Justices of the peace for the said County, do certify that your Petitioner John Metcalfe is a

I hereby Certifie that Thos. Beatty, Jos. Smith, Cha^s Jones, Pet Bainbridge, W^m Luckett David Lynn, Mos Chapline Jos. Wood Andrew Heugh and Tho^s Norris were at the time of Signing the above Petition of his Lordships the R^t Honourable the Lord Proprietary's Justices of the Peace for Frederick County In Testimony whereof I have hereunto set my hand and Affixed the Public Seal of said County this 10th day of March Anno Dom 1760



Jn° Darnall Cl

III

PROPOSED PUBLICATION OF BACON'S COLLECTION OF LAWS

[A BILL FOR THE PUBLICATION OF BACON'S COLLECTION OF LAWS, PASSED BY THE LOWER HOUSE AND REJECTED BY THE UPPER HOUSE AT THE SEPTEMBER-OCTOBER SESSION, AS PRINTED IN THE MARYLAND GAZETTE.]

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By the Lower House of Assembly, 15th of October, 1760.

Ordered, That the Bill, entituled, An Act for encouraging a Collection and Publication of the Laws of this Province, with the several Indorsements thereon, be Printed by Mr. Jonas Green, in the Maryland Gazette.

P. 1: col. 1-2

Signed per Order M. Macnemara, Cl, Lo, Ho.

An Act for encouraging a Collection and Publication of the Laws
of this Province.

Whereas the Reverend Thomas Bacon has, with great Pains and Application, made a Collection in Manuscript of the several Acts of Assembly of this Province, the Publication whereof may be of great and general Utility; in order, therefore, that so useful a Work may meet with due Encouragement, and that the said Thomas Bacon

may be the better enabled to proceed thereon, it is prayed that it may be Enacted;

And be it Enacted, by the Right Honourable the Lord Proprietary, by and with the Advice and Consent of his Lordship's Governor, and the Upper and Lower Houses of Assembly, and the Authority of the same, That the Honourable Benjamin Tasker, junr. Richard Lee, Benedict Calvert, Daniel Dulany, and Stephen Bordley, Esquires, and Colonel Edward Tilghman, John Hammond, Matthew Tilghman, Charles Carroll, and William Murdock, Esquires, or a Majority of them, shall be and are hereby appointed a Committee to inspect, examine into, and consider of the said Collection, and they are hereby required to compare the same with the original Laws, as they shall find them recorded in the Secretary's Office, or in any other Office or Place in this Province where Records are kept, for which Purpose they shall and may, from Time to Time, as they shall see convenient, have Recourse to the said Offices and Places, and free Access to the Records thereof, and shall also carefully examine and enquire, whether any Laws in Force or Use are omitted to be inserted in the said Collection, or any contained therein which are not in Force or Use; and having finished their Examination and Enquiry into the said Collection as aforesaid, shall lay the same, together with their Remarks and Opinion thereon, before the next General Assembly which shall thereafter happen, on or before the third Day of the Session; and in Case the said General Assembly shall approve thereof, then it shall and may be lawful for the said Thomas Bacon to proceed to the Printing and Publishing the same.

Provided nevertheless, and it is hereby Enacted and Declared, That all the Laws heretofore made, and more especially such, the Force or Existence whereof have been any ways questioned or disputed, shall remain, continue, and be in the same State and Condition, to all Intents, Constructions and Purposes whatsoever, as if the said Collection and Publication had never been made; and that no Law whatever, or any Part thereof, shall be repealed, abrogated, or made null or void, or receive any additional Force or Strength thereby.

And for Encouragement of the said Thomas Bacon, and the better to enable him to Print and Publish so useful a Work, Be it Enacted by the Authority, Advice and Consent aforesaid, That there shall be allowed to the said Thomas Bacon, in the present public Journal of this Province, the Sum of Three Hundred Pounds Current Money for Eighteen Copies of the said Collection, cast off upon good Paper, in large Folios, and with a fair Type, and Delivering the same, well Bound in Calf-skin and Lettered, to the Persons hereafter named; that is to say, one Copy thereof to his Excellency the Governor or Commander in Chief for the Time being, one to each Clerk of the

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Two Houses of Assembly for the Use of their respective Houses, one to the Clerk of the Provincial Court for the Use of the said Court, and one to the Clerk of each County Court for the Use of their respective Courts; which Sum of Three Hundred Pounds, after the same is collected, shall be by the several Sheriffs immediately paid to the Commissioners or Trustees for Emitting Bills of Credit, and the said Commissioners or Trustees are hereby required to keep a separate Account for the said Sum of Money, and shall pay the same to the said Thomas Bacon, upon his producing to them a Certificate from his Excellency the Governor or the Commander in Chief for the Time being, and from each of the Clerks above named, certifying that they have respectively received the said printed Copies well Bound and Lettered as aforesaid.

And be it further Enacted, That the said Committee, or a Majority of them, shall, and they are hereby required to meet at the City of Annapolis on the first Tuesday in April next, or on the Day following, to begin their said Examination and Enquiry, and shall and may adjourn from Time to Time as they find convenient, until they have finished the same; and for their Trouble in attending for the Purposes aforesaid, each of the said Committee shall have and receive the same Wages respectively as are allowed by Law to Councillors and Delegates serving in General Assembly, besides itinerant Charges, and no more; to be allowed to them in the Journal of Accounts of this Province.

And be it further Enacted, That the said Thomas Bacon, shall, after the Approbation of the General Assembly obtained as aforesaid, as soon as conveniently may be, cause to be prepared and made ready, every Material for Printing the said Work, and shall give immediate Notice thereof to William Murdock, Charles Carroll, and John Hammond, Esquires, or any one of them, who are hereby authorized and required carefully to supervise and correct the Press, and for their Trouble therein shall be allowed the Sum of Sixty Pounds Current Money in the Journal of Accounts of this Province.

The Indorsements on the aforesaid Bill are as follow:

By the Lower House of Assembly, 15th October, 1760.

Read the first and second Time by an especial Order, and will Pass.

Signed per Order, M. Macnemara, Cl. Lo. Ho.

By the Upper House of Assembly, 15th October, 1760.

Read the first Time, and will not Pass.

Signed per Order, J. Ross, Cl. Up. Ho.

IV

ESTATE OF VALERIUS DUCHART, AN UN-NATURALIZED FRENCH ALIEN

[PETITIONS OF DANIEL CHAMIER, THE EXECUTOR AND ADMINISTRATOR OF THE ESTATE OF VALERIUS DUCHART, APRIL 20, 1757, TO THE GOVERNOR AND GENERAL ASSEMBLY, PRAYING RELIEF FOR THE WIDOW AND CHILDREN OF DUCHART, WHOSE LANDS, AS AN UNNATURALIZED ALIEN, HAVE BEEN ESCHEATED.]

To His Excellency Horatio Sharpe Esquire, Governor and Commander in Chief in and over the Province of Maryland &c. &c. &c.

And To the Honourable Members of the Upper and Lower Houses of Assembly of the said Province

The Humble Petition of Daniel Chamier Executor and Administrator to the Estate and Effects of Valerius Duchart deceased, On Behalf of the Widow of the said Duchart and of his Seven Children

Most Humbly Sheweth

That the said Valerius Duchart was a Native of the City of Strasburg in the Principality of Lorrain and Kingdom of France and a Protestant; and did by the way of Holland and England embark for New York and on or about the Latter Part of the Year One thousand seven hundred and fifty three or Commencement of the Year One thousand seven hundred and fifty four arrived into this Province without any part of his Family; And in the Month of April One thousand seven hundred and fifty four Did rent of and from Doctor William Lyon of Baltimore Town a Certain Plantation to him belonging in Baltimore County, where he exercised the Business of an Ordinary Keeper, until he could clear and prepare a proper Plantation for the Reception of himself and ffamily.

That on or about the latter Part of the said Month of April of the same Year he did purchase of and from M.^r Thomas Harrison of Baltimore Town a certain Tract of Land containing Four hundred Acres being Part of a larger Tract known by the Name of Harrisons Meadow in Baltimore County, and that he then paid the said Harrison for the aforementioned Purchase the Sum of One hundred and Twenty Pounds Currency and procured a proper Conveyance for the Same, and the Said Duchart during his keeping the said Ordinary and tending the Plantation so rented at a great Expence and Charge Did in the Space of less than two Years clear near One hundred Acres of the said Tract so purchased, built three convenient Messuages or Tenements; Sink a well of great Depth thereon, & Stone great Part thereof, and otherwise greatly Improve the said Tract of Land by Fencing, Draining &c.

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That on or about the Beginning of the Year One thousand seven hundred and fifty six being by some Means inform'd that he the said Valerius Duchart was an Alien and as such liable to have his Property Escheated, he therefore imparted to the said Doctor William Lyon his Apprehension on that Account, and requested his friendly Assistance therein.

That the said Duchart was by the said William Lyon soon after introduced to one of the Honourable Members of the Lower House of Assembly then Sitting, to consult him in Regard to his Naturalization, but for some Reasons was persuaded by the said Honourable Member to apply to the Provincial Court, which was then shortly to be held; but before the Expiration of that Time it pleased the Almighty that he should perish (with one of his Servants) in the Ruins of a Barn, which in a hard Gale of Wind was Blown down.

That your Petitioner as principal Creditor soon after Viz.^t in the Month of May 1756 procured Letters of Administration on the Estate & Effects of the said Valerius Duchart, and on or about the 21.st of the said Month of May the before mentioned Doctor Lyon being privy to the Deceased's being an Alien from the Confidence, he had before placed in him, Did lodge in the Land Office a Pre-Emption of Escheat for all the Land, the said Duchart dyed possessed of in Baltimore County, and, as your Petitioner is informed by the said Lyon, has since procured a Patent for the same

And your Petitioner further begs leave to represent to Your Excellency and Honours

That by the aforementioned Escheat the Widow and Seven Children of the said Duchart are deprived of the Value of near four hundred Pounds Currency, and left destitude of all manner of Support, Your Petitioner verily and truely believing there will scarce be Assets sufficient to discharge the demands, that are daily made against the Estate of the deceased.

That the Widow and Children aforesaid are the more Deserving of your Pity and Relief in this their Distress, as the deceased by his Integrity and Industry proved during his Life Time a good Neighbour and a Usefull Member to the Community, as by incontestible Evidence can be made to appear

That Relief afforded to this unhappy Family under their present Dilemma will prove a great Encouragement to Strangers to come and reside amongst us

And Finally, that as Doctor William Lyon soon after lodging the Pre-emption aforementioned did frequently, and very publickly declare (by way of Canvassing so ungenerous a Proceeding) that he had made the said Escheat for the Benefit of the Widow and Orphans and to prevent any other Person from Escheating the same to their Detriment

Therefore Your Petitioner humbly hopes that your Excellency and Honours will in tender Compassion to this distressed Widow and Seven Children take the Premises into Consideration, and if to your Excellency and Honours it should seem meet that your Petitioner should on Behalf of the Widow and Orphans reimburse the said William Lyon, what he may have paid for the said Escheat and order that the said Land and Improvements be exposed to publick Sale to the best Bidder, and the Produce thereof (after deducting the Money so advanced) may be deposited in the Hands of his Lordships Commissary General for the Benefit of the Widow and Orphans of the said Duchart. Your Petitioner will readily and willingly submit thereto, or to such Directions, as you shall be Pleased to give, and

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Your Petitioner as in Duty bound
shall ever Pray &c^a

[Endorsed on back] By the Upper house of Assembly 20 April
1757 Read and Rejected

Signed p Order J Ross Cl Up Ho

V

THE DARNALL DEFALCATION

[CORRESPONDENCE, APRIL-JULY 1761, BETWEEN GOVERNOR SHARPE, ATTORNEY-GENERAL STEPHEN BORDLEY, AND THE COMMISSIONERS OF THE LOAN OFFICE, BEARING ON THE DARNALL DEFALCATION, WHICH LETTERS SHARPE REQUESTED THE LOWER HOUSE TO ENTER IN THE JOURNAL OF ITS PROCEEDINGS. AS THE HOUSE FAILED TO DO SO, THESE FIVE LETTERS, TOGETHER WITH THE OTHER CORRESPONDENCE APPEARING IN THE JOURNAL, WERE ORDERED PRINTED IN PAMPHLET FORM BY THE GOVERNOR AND COUNCIL.]

Annapolis, the 28th April, 1761.

Sir,

Being satisfied by a Report of the Committee for Inspecting the Paper Currency, which the Upper House of Assembly presented to me Yesterday in the Afternoon, and by a Petition which hath been sent me by John Darnall and Charles Carroll, Esquires, that Mr. Henry Darnall, the Naval Officer of Patuxent, hath been Guilty of a great Breach of Duty, and hath failed to remit to the Trustees in England, sundry Sums of Money which he ought to have remitted,

Province
of Maryland
By Governor
and Council
1761
(printed
pamphlet
Md. Hist.
Soc.)

Province
of Maryland
By Governor
and Council

¹⁷⁶¹
(printed
pamphlet
Md. Hist.
Soc.)

amounting, as I guess, to about Sixteen Hundred Pound Sterling, I desire you will forthwith take the necessary Steps, in order to compel Mr. Henry Darnall, and his Sureties, to Indemnify the Country; wherefore I send you the Committee's Report, together with a Bond, which Mr. Henry Darnall, and his Sureties, executed at the Time he was appointed Naval Officer, and the abovementioned Petition of John Darnall, and Charles Carroll, Esquires, from whom, if such a Step is proper, you will receive the Penalty of their Bond, for the Use of the Province, without putting them to the Expence and Trouble of a Suit. I am, Sir,

To Stephen Bordley, Esq.; Your very humble Servant,
His Lordship's Attorney-General. Hor.^o Sharpe.

Sir,

Pursuant to your Excellency's Order, I received last Night of John Darnall, and Charles Carroll, Esquires, the Two following Setts of Bills of Exchange, scilt.

Charles Carroll on John Buchanan, to John Darnall,	
Indorsed in Blank for.....	£ 400 0 0
Charles Carroll on William Perkins, to John Darnall,	
Indorsed in Blank for.....	600 0 0
	£1000 0 0

Amounting to One Thousand Pounds Sterling, being the Penalty of Henry Darnall's, John Darnall's, and Charles Carroll's, joint and several Bond of the 14th March, 1755, to your Excellency, Conditioned for the said Henry Darnall's due Execution of the Naval Office of Patuxent District, and I wait your Excellency's Orders for disposing of the said Bills; and am, Sir,

Your Excellency's most obedient humble Servant,
Annapolis, 29th April, 1761 Stephen Bordley.
[To Horatio Sharpe]

Annapolis, May 1, 1761.

Gentlemen,

His Lordship's Attorney-General having informed me, that John Darnall and Charles Carroll, Esquires, have paid him Bills of Exchange for the Sum of 1000l. Sterling, being the Penalty of a joint and several Bond, executed and delivered to me the 14th of March, 1755, by Henry Darnall, and the said John Darnall and Charles Carroll, Esquires, Conditioned for the said Henry Darnall's due Execution of the Naval Office of Patuxent District, I have impowered the Attorney-General to pay and deliver the said Bills of Exchange to you; wherefore I desire you will receive and remit the same to the

Trustees in London, appointed in Consequence of the Paper Currency Act made here in 1732, and that you will at the same Time write to the Trustees, and desire them to give this Province Credit for the said Bills, as received on Account of the Duty of 15 d. per Hogshead, collected by Henry Darnall, Esq; late Naval Officer of Patuxent District. I am, Gentlemen,

Province
of Maryland
By Governor
and Council
1761
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pamphlet
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Your very humble Servant,
Hor.º Sharpe.

To { Charles Hammond,
George Steuart,
John Bullen, } Esqrs. Commissioners of the Loan Office.

Annapolis, 1st May, 1761.

Sir,

You will deliver to the Commissioners of the Loan Office, those Bills of Exchange for Sum of 1000l. Sterling, which, in your Letter to me, dated the 29th of last Month, you say have been paid to you by John Darnall and Charles Carroll, Esquires, as the Penalty of the Bond which was executed to me the 14th March, 1755, by those Two Gentlemen, jointly with Henry Darnall, Esq; I have wrote to the Commissioners of the Loan Office, desiring them to receive the said Bills from you, and to remit the same to the Trustees in London, for purchasing Bank Stock on Account of this Province. Hoping that you will by such Means be able to recover all the Money that is due from Mr. Darnall to the Country, I desire you will proceed agreeable to the Opinion of the Upper House, communicated to me in the Address which I herewith send you. I am, Sir.

Your most obedient humble Servant,
To Stephen Bordley, Esq; Hor.º Sharpe.
His Lordship's Attorney-General.

Sir,

I have commenced the Proceedings advised by the Address of the Upper House to your Excellency, in the Case of Mr. Darnall, and shall take Care to pay the Bills received on Mr. Darnall's Naval Office Bond to the Commissioners of the Loan Office, pursuant to your Excellency's Order for that Purpose, the next Office Day. I am, Sir,

Your Excellency's most obedient humble Servant,
Stephen Bordley.

Annapolis, 4th May, 1761.

[To Horatio Sharpe]

Copy.

J. Ross, Cl. Con.

Province
of Maryland
By Governor
and Council
1761
(printed
pamphlet
Md. Hist.
Soc.)

By his Excellency The Governor and Council,

10th July, 1761.

It being observed, that notwithstanding his Excellency, by a Message which he sent to the Lower House of Assembly, dated the 5th of May last, desired that the following Addresses, Messages, Report, and Letters, may be Entered on their Journal, together with his said Message dated 5th of May, in order that it might hereafter appear what Measures had been taken to recover for the Public the Money due from Mr. Darnall, late Naval Officer of Patuxent, yet that the said Address, &c. are not Entered: It is therefore Ordered, That Mr. Green Print and Publish them, and that he deliver a Copy thereof, with every Copy that he shall deliver of the Journal of the Proceedings in the Lower House during the late Convention.

V

INSTRUCTIONS OF FREDERICK, LORD BALTIMORE, TO GOVERNOR HORATIO SHARPE, 1759

[INSTRUCTIONS OF FREDERICK, LORD BALTIMORE, DATED MARCH 17, 1759, TO GOVERNOR SHARPE ASSENTING TO THE LAWS PASSED BY THE GENERAL ASSEMBLY AT THE MARCH-MAY 1758 SESSION, AND ALREADY APPROVED BY SHARPE.]

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Frederick Absolute Lord & Proprietor of the Province of Maryland & Avalon Lord Baron of Baltimore of the Kingdom of Ireland Additional Orders & Instructions to be Observed & Pursued by Our Trusty & Wellbeloved Horatio Sharpe Esq.^r Our Lieutenant Governor & Commander in Cheif in Our Province of Maryland.
F. Baltimore

Whereas at a Session of Assembly began & held at Our City of Annapolis in Maryland on Tuesday the Twenty-Eighth of March [1758] in the Seventh Year of My Dominion of the Province the following Acts of Assembly on My Behalf were pass'd by you Viz.^t

An Act for Encouragem.^t of a Party of Cherokee Indians w.^b have been some time on the Frontiers of this Province & for paym.^t of the reasonable Expences of their Interpreter & Conductor.

An Aiding Supplementary Act to an Act entituled a Supplementary Act to an Act entituled an Act to enable the Justices of Baltimore County Court to Assess & levy on the Taxable Inhabitants of S.^t George's Parrish in that County a Sum of Money for the Uses therein mention'd.

An Act to make it Penal to Forge or Counterfeit the Bills of Credit of Virginia Pennsylvania New-York East or West Jersey's or the three Lower Counties on Delaware called New-Castle Kent & Sussex or to alter or tender the same in paym.^t within this Province knowing them to be such.

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An Act relating to Guardians & Orphans.

An Act entituled an Act to repeal part of an Act entituled an Act Repealing part of an Act laying an Imposition on Negroes & on several sorts of Liquors imported & also on Irish servants & to prevent the importing too great a Number of Irish Papists into this Province & to lay a Duty upon Rum Spirits Wine & Brandy imported into this Province from Pennsylvania or the three Lower Counties on Delaware called New-Castle Kent & Sussex.

A Supplementary Act to an Act entituled an Act for Grant.^s a Supply of Forty Thousand Pounds for his Majesty's service & strik.^s Thirty-four Thousand & fifteen Pounds six Shillings thereof in Bills of Credit & raising a Fund for Sinking the same.

On Consideration upon the aforesaid several Acts I do hereby Signify to you My Assent & Will that each of the said Acts of Our Assembly be Laws of the Province of Maryland & you are to Enter this My Assent upon Record as usual.

Given Under My Hand & Lesser Seal at Arms at London this Seventeenth Day of March in the Seventh Year of My Dominion in the said Province And in the Year of Our Lord 1759

F. B.

By His Lord^{ps} Command
Cæcil^s Calvert Sec^y

VI

INSTRUCTIONS OF FREDERICK, LORD BALTIMORE, TO GOVERNOR HORATIO SHARPE, 1760

[INSTRUCTIONS OF FREDERICK, LORD BALTIMORE, DATED DECEMBER 20, 1760, TO GOVERNOR SHARPE, ASSENTING TO THE LAWS PASSED BY THE GENERAL ASSEMBLY AT THE MARCH-APRIL 1760 SESSION, AND ALREADY APPROVED BY SHARPE.]

Frederick absolute Lord Proprietor of the Province of Maryland & Avalon Lord Baron of Baltimore of the Kingdom of Ireland Additional Orders & Instructions to be observed & pursued by our Trusty

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MSS. well beloved Horatio Sharpe Esq^r our Lieu:^t Governor and Commander in chief in our Province of Maryland
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F. Baltimore
 Whereas at a Sessions of Assembly held at Our City of Annapolis in Maryland on Saturday the twenty second Day of March [1760] in the ninth Year of my Dominion of the Province the following Acts of Assembly on my Behalf were passed by you Viz:^t

An ingrossed Bill entituled, an Act continuing an Act entituled An Act to prevent Persons from secreting Boats, Flats, and other Vessels, drove by Stress of Weather or otherwise, from Landings or Moorings

An Ingrossed Bill entituled, An Act continuing an Act entituled An Act to prevent Masters of Ships and Vessels from clandestinely carrying Servants and Slaves, or Persons indebted out of this Province.

An Ingrossed Bill entituled, An Act continuing an Act entituled A Supplementary Act to the Act entituled, An Act for the Relief of Creditors in England against Bankrupts, who have imported Goods into this Province not accounted for.

An Ingrossed Bill entituled an Act continuing an Act entituled An Act for the Advancement of Justice.

An Ingrossed Bill entituled an Act continuing an Act entituled an Act for preventing Indians disaffected to the British Interest in America from coming into this Province as Spies or on any other evil Designe

An Ingrossed Bill entituled, An Act to aid some proceeding of the Vestry of Port Tobacco Parish in Charles County and to impower the said Parish to elect Vestrymen and Church-wardens.

An Ingrossed Bill entituled an Act to increase the Salaries of the Inspectors of Snow-Hill Warehouse in Worcester County and Plymouth Warehouse in Dorchester County.

An Ingrossed Bill entituled an Act for the speedy and effectual Publication of the Laws of this Province; and for the encouragement of Jonas Green, of the City of Annapolis Printer.

On Consideration upon the aforesaid several Acts I do hereby signify to you My Assent & Will, that each of the said Acts of our Assembly be Laws of the Province of Maryland and you are to Enter this My Assent upon Record as Usual.

Given under my Hand & Lesser Seal at Armes at London this Twentieth day of December in the ninth Year of My Dominion of the said Province And in the year of our Lord 1760

F B.

By his Lordships Command
 Cæcil:^s Calvert Sec.^y

VII

LETTER FROM SECRETARY CECILIUS CAL-
VERT TO GOVERNOR HORATIO SHARPE,
LONDON, MARCH 30, 1759

[THIS LETTER REFERS TO THE OPINION OF CHARLES PRATT, THE ATTORNEY-GENERAL OF THE CROWN, UPON THE CONSTITUTIONALITY OF THE SERVICE BILL, REPEATEDLY PASSED BY THE LOWER HOUSE, AS TO (1) THE QUALIFICATIONS OF THE ANNAPOLIS ALDERMEN TO VOTE FOR BURGesses TO THE ASSEMBLY; (2) APPOINTMENTS TO SUNDRY PROVINCIAL OFFICES; (3) THE HOSTILITY OF HUGH HAMMERSLY TOWARDS SHARPE; (4) THE STATUS OF DUTCH SHIPS SEIZED BY THE BRITISH; (5) THE NECESSITY OF CONVOYS FOR MERCHANTMEN; (6) BENJAMIN FRANKLIN'S TROUBLESOME ACTIVITIES IN LONDON; (7) THE RE-EXAMINATION BY THE HOME GOVERNMENT OF THE PURCHASE DEEDS TO LANDS BY THE PENN FAMILY FROM THE INDIANS; (8) THE ORDER BY LORD BALTIMORE THAT NO BILLS BE ALLOWED TO PASS PENALIZING ROMAN CATHOLICS "WITHOUT SUFFICIENT CAUSE OF THEIR OFFENCE."]

London March 30.th 1759

Sir

Inclosed I transmit you his Lord.^{ps} Letter on the Subject matter of the Province that has been so long depending for Advice from M.^r Pratt the Attor.^y Gen.^l In Mine of the 17.th Instant I Address'd My self to you on that Subject, of w.^h My Lord Approved, But Now You have his & M.^r Attorney's Better Reasons for y.^r Conduct & Guidance on that Important Affair—I have y.^{rs} the 10.th of Decem.^r last. I am glad you have reason to think the Affair of Doctor Stuart Election for Annapolis will not be determined by a Nullity of the Aldermans Vote—To y.^r Desire to confer the Naval Office of Pocomoke on Col: Henry & the making M.^r Goldsborough Surveyor Gen.^l of the East shore My Lord Approve & Consents Concern.^s such y.^r Proposition I have write to M.^r Tasker Deputy Sec.^y, if you Approve, close & deliver it him—My Lord thanks you for y.^{rs} & y.^r Acco.^t Decem.^r the 8.th 1758. I suspect, I know not, if M.^r Hammersley has set up Corespd^t with you, if he has, have a Care how you commune with him he's not y.^r friend, the less you mention of him the better. I have Quiet'd y.^r Adversaries here—fill up as fast as vacancys happen

The Lords of Appeal have determin'd the Case of the Dutch ships taken this War shall be restored with Costs. s.^d 1,500000 English Privateers will be few. French will swarm the Merch.^t Men must not Venture without Convoy—M.^r Franklin from Pensilvania

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Letter 33
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Records

MSS. has made Much ado ab.^t Nothing, the Sum of all he has threatn'd
 Archives of Md. is, he has present'd a Petition ag.^t the Mess.^{rs} Peters, That all the
 Portfolio Perchase Deeds w.^h Thomas & Rich.^d Penn or their Ancestors held
 No. 4 of Indian Lands may be examin'd & Determin'd by his Majesty &
 Letter 33 that the Limits be.^t the Lands boug.^t of Indians, & those yet un-
 Hall of perchased may have his Majesty's Decision.
 Records

I am with all Esteem

Y^{rs}

Cæcil :^s Calvert

To His Excell^y Horatio Sharpe Esq.^r L.^t Gov.^r of Maryland.

Pos.^t My Lord Desires you nor the Upper House will not suffer
 any thing to Pass that may be Penal on the Roman Catholicks with-
 out sufficient Cause of their Offence

[Endorsed on back] From M^r Calvert March 13.th [sic] 1759

VIII

LETTER FROM GOVERNOR HORATIO SHARPE TO HIS BROTHER, PHILIP SHARPE, FEBRUARY 8, 1760

[THE GOVERNOR ASKS HIS BROTHER'S OPINION AS TO THE LEGALITY OF THE ISSUANCE FOR "DOCEURS" BY CERTAIN COLONIAL GOVERNORS OF FLAGS OF TRUCE TO MASTERS OF PRIVATEERS, WHO UNDER THE GUISE OF TRANSPORTING FRENCH PRISONERS TO THE WEST INDIES FOR EXCHANGE, ALSO CARRY ON A CLANDESTINE TRADE IN SUGARS WITH THE ENEMY FRENCH IN SANTO DOMINGO. GOVERNOR SHARPE OBVIOUSLY LOOKS UPON THE TRADE AS ILLEGAL, AND THE ACTIONS OF THE GOVERNORS AS MORE THAN QUESTIONABLE. HE FEELS THAT THE SHIPMENT FROM THE COLONIES OF GOLD COIN TO CARRY ON THE TRADE IS ALSO DETRIMENTAL TO THE INTERESTS OF THE COLONIES. HE WISHES TO LEARN THE ATTITUDE OF THE HOME GOVERNMENT.]

MSS. Duplicate Annapolis the 8th of Feb.^r 1760
 Archives of Md. Dear Phill
 Portfolio Application having been just now made to Me by some Gentlemen
 No. 4 of this Province for Liberty & a Power to transport to S.^t Domingo
 Letter 54 four or five French Prisoners that were lately taken at Sea & brought
 Hall of into Virginia I embrace an Opportunity that offers to give You an
 Records

Account of some of the late Proceedings of All or Most of the Governors in the Northern Provinces, & beg the favour of You to Consult & ask the Opinion of such as You shall think proper to be advised with upon what I am about to communicate to You Very soon then after War was declared against France a Number of Privateers were fitted out at New York & other Ports in the Northern Colonies & sent to cruise among the French Sugar Islands, they met in general with great Success & brought their Prizes into North America to be condemned; After Condemnation their Cargoes consisting principally of Sugar were entered at the Custom House for Exportation & were really exported to Amsterdam, Leghorn or some other Neutral Port. The Prisoners that were taken in the captured Ships were soon after their Condemnation sent back again to the French West Indies in Carteels or Flags of Truce granted by the Governor of the Colony into which such Prisoners had been brought to some of his particular Friends. The Masters of Commanders of such Cartel Vessels carried with them sometimes Prize Goods as Claret &c. & sometimes Spanish Pistoles wherewith having obtained the French Governor's Leave they purchased Sugars to load their respective Vessels back to N America ; when they arrived on the Coast it was usual as I have been told for their Owners to send out a little Vessel with a Letter of Marque to capture them & then the Sugars being libelled as French Property were in the Courts of Vice Admiralty condemned as legal prize. Since the French Trade has been so much ruined that None or very few Captures were to be made in the West Indies & consequently no Prisoners brought into the Northern Provinces the Merchants there have pursued the following method, they sent their Vessels to Monte Christo a Port in that Part of Hispaniola which belongs to the Spaniards where they purchased such Sugars as the French brought thither for their part of the Island & imported the same into N America in the manner abovementioned. The Expence however of conveying the French Sugars from the West End of Hispaniola to the Mount being very considerable Sugars were consequently sold at Leoganne much Cheaper than at that place, which being represented to my Neighbour Governor Denny he found out a Remedy & granted a Flag of Truce to every Person that applyed for one which (the Enemy being desirous to encourage the Trade) impowered the Captains that carried them tho they had no Prisoners on board to go directly into the French Ports & purchase their Cargoes, for each Flag or Commission for Exchange of Prisoners M^r Denny received a handsome Douceur & I have been told that Governor Bernard in particular has also done Business in the same way—By what I can learn all the Lawyers here are of Opinion that this Trade with the French is not illegal, & the Merchants in order to shew that it is for the Interest

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of G Britain as well as of these Colonies that it should be pursued argue thus. "If We do not purchase & carry to Europe the Produce of the Enemy's Part of Hispaniola the Spaniards, Dutch or some other Neutrals will, in which Case perhaps the French will not get quite so much for their Commodities as they do at present but then We shall gain Nothing, Now as the Trade is at present carried on we give them suppose One hundred (part Goods & part Money) for the produce of their part of the Island, which produce we transport to Europe & sell for four times as much, so that for every pound that the French receive for the Produce of their Lands & Negroes the English engaged in this Trade get or Clear at least two. It hath been alledged against these Gentlemen that they will in a very short time export all the Gold out of N America but to this they answer that if that should be the Case enough Silver & paper Money will be left to answer all Occasions & that for the Gold they export great Quantities of Goods are daily imported from their Mother Country even the whole Amount of the Nett Proceeds of all the Sugar which they send to Holland & elsewhere." For my own part I must acknowledge that there seems to be some Reason in what the Merchants advance, but at the same time as I much question whether the Ministry will be of the same Opinion or approve of the Conduct of His Majesty's Governor's in granting Flags of Truce for such a purpose or indeed on any Account whatever, I decline granting one for the Transportation of the Prisoners mentioned at the Beginning of my Letter nor shall I take any Step relative to them till I have the Satisfaction to receive Your Answer which be so kind as to send me by the Packett or first other Opportunity that offers & I should be much obliged to You if at the same time You will transmit me a Copy of the Oath which is always administered to His Majesty's Governors at the time they qualify. Before I conclude I think it proper to inform You that since the War broke out I have by Advice of His Ldp's Council sent to Domingo at two different times a Number of French Prisoners that were taken at Sea by some of our Ships & brought directly into this province but I did not grant Flags even for this purpose untill I had first recommended it to the Assembly to provide in some manner for the prisoners Support untill I could send them to G. Britain which the Assembly refusing to do the poor fellows must have suffered Want had they been any longer detained

[Horatio Sharpe]

[To Philip Sharpe Esq, London]

IX

LETTERS TO GOVERNOR SHARPE 1758-1761

[SEVEN LETTERS, DATED 1758-1761, FROM GENERAL JOHN ST. CLAIR AND FROM GENERAL JEFFREY AMHERST TO GOVERNOR HORATIO SHARPE IN REGARD TO MILITARY AFFAIRS AND THE SUPPLY BILL FOR HIS MAJESTY'S SERVICE.]

Carlisle the 23^d June 1758

MSS.
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No. 4
Letter 34
Hall of
Records

Dear Governor

This will be delivered you by the Commissary who is going down to Alexandria to bring up the two hundred of the North Carolina provincials, and about eighty barrels of beef that is in store there. I must therefore intreat of you to give him all the assistance in your power for procuring him carriages. I have this day sent Captain Jocelyn of the Royal American Regiment with 60 men to Fort Fredrick. I beg Mr Ross may provide them with provisions, they escort a convoy of upwards of thirty waggons loaded with shott & shells which I should be glad to send up to Fort Cumberland so that I must intreat of you to appoint some one or other to take charge of the ammunition and get them forwarded with battoes & canoes to fort Cumberland. for this service and purchasing more Indian corn & oats I have sent you two hundred pound & one hundred pound of Virginia currency for paying for forrage that Colonel Procter may be able to collect at Shanada. The reason of my sending this convoy at present to Fort Frederick is, that Col^o Bouquet has got about two hundred waggons with him and if these had gone that way they woud have shut up the narrow roads of the mountains.

I am Dear Governor

Your most Obed^t &

To Governor Sharp.

most humble Serv^t

John St Clair.

I have the pleasure to send you letters from Gen^l Forbes & Mr Kirby relating to your Maryland troops.

[Endorsed on back] From S^r John St Clair the 23^d June 1758.

Carlile the 27th June 1758.

MSS.
Archives
of Md.
Portfolio
No. 4
Letter 34 W
Hall of
Records

Dear Sir

I have received your letters of the 23^d & 25th for which I am extremely obliged to you for the great care you have taken in providing every part of the service, I hope by this time Captain

MSS.
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of Md.
Portfolio
No. 4
Letter 34 W
Hall of
Records

Jocelyn has joined you, I shall make up his Command to a hundred men, as soon as I can lay my hands on them; in the mean time I shall send you off three Companies of the Lower Counties with Major Wells of a hundred men each, I am not able to tell you if they can all march to morrow untill I see my next convoy up, for I intend sending all the Shott and Shells by fort Frederick, for which purpose I beg you will get the Canoes on Pottomack collected, and as many made as possible. I shall pack off to morrow all the Entrenching Tools I have at this place, which will be barely sufficient for your Service, but with a hundred & fifty good felling Axes some timber may be cut down. The second Engineer on the Establishment shall attend you, I hope to learn his name to day at dinner, he has strong recommendation to your favour & protection from your friend in England, I have no miners Tools here but shall order you two sets from Fort Loudon, and as soon as my head Miner comes up he shall be forwarded to you.

I have wrote Col.^o Bouquet who is at Rays Town to abridge his Work, as Fort Cumberland will serve for the grand Deposits, and to cut his road down to it, and to desire Colo. Washington to cut back in Order to meet you for which reason I hope Captn Shelby has blazed every part of the Road.

I shall Order Major Wells to obey your Command and the inclosed Letter to Captain Jocelyn is to the same effect. I have a deal of trouble about Waggons which I am in hopes of getting over. The last Acco.^{ts} from Winango say that no provisions have come up this Year from Niagara which has alarmed all the Neighbourhood. I am with the greatest respect

D^r Sir

Your most Obedient &

To Governor Sharp

most hum^l Serv.^t

John S^t Clair.

[Endorsed on back] From S^r J S^t Clair the 27th June 1758

MSS.
Archives
of Md.
Portfolio
No. 4
Letter 35
Hall of
Records

Sir

From M.^r Secretarys Pitts Letter to You of the 9.th December last, which I find, by Yours of the 18.th Instant, received last Night, You had lain before Your Assembly, I must own I had expected they would have Acted quite a Different part, than what You Mention they have done, Notwithstanding which, I am perswaded no endeavours of Yours have been wanting to induce them to Act better: And since they still continue obstinate in refusing to grant any Supplies for the raising of the Troops, which it is their duty to

New York 27.th April 1759

furnish, I shall not fail representing the Same to His Majesty's Ministers; that whatever Compensation may hereafter be granted by Parliament for the Extraordinary Expences that might be incurred by the several Colonies on this present Occasion, and which M.^r Secretary Pitt had His Majesty's permission to make them hope for their Share in the same may be proportioned to their Obedience to the Kings Commands

MSS.
Archives
of Md.
Portfolio
No. 4
Letter 35
Hall of
Records

I am with great regard

Sir

Your most Obedient

Humble Servant

Jeff Amherst

His Excellency Gov:^r Sharpe

MSS.
Archives
of Md.
Portfolio
No. 4
Letter 35 K
Hall of
Records

New York, 15.th April 1761.

Sir,

I am to own the Receipt of Your Letter of the 30.th March, by which I see that You had Issued a Proclamation requiring the Assembly of the Province of Maryland, to meet the 7.th of this Month (which, You Say, is as soon as they can possibly come together) when You were to Communicate to them the Contents of M.^r Secretary Pitt's Letter of the 17.th December, and mine of the 15.th March; and that You would press them in the most earnest manner to Comply with His Majesty's Requisition; As Eight days are now Elapsed since that on which the Assembly was to meet, I hope very soon to be Informed of their Resolves, and trust that they will be entirely Conformable to the King's Expectation; & meanwhile I am, with great Truth,

Sir,

Your most Obedient

Humble Servant,

Jeff: Amherst.

His Excellency Gov:^r Sharpe.

MSS.
Archives
of Md.
Portfolio
No. 4
Letter 35 L
Hall of
Records

New York, 26.th April 1761.

Sir,

I am to own the Receipt of Your favor of the 15.th April, Which Came to hand Yesterday, and to Return You my thanks for the Information You have been pleased to give me of the Young Gentleman I Enquired after.

Altho' You Acquaint me Your Assembly is not Yet Come to a Resolution on M.^r Pitt's Letter of the 17.th December, on Which You had required them to meet, I shall hope soon to hear from You,

MSS.
Archives
of Md.
Portfolio
No. 4
Letter 35 L
Hall of
Records

that the measures they are taking are Conformable to the King's Requisition.

I am, with great Regard,

Sir,

Your most Obedient
Humble Servant,
Jeff. Amherst.

His Excellency Governor Sharpe.

MSS.
Archives
of Md.
Portfolio
No. 4
Letter 35
Hall of
Records

Sir

New York 27.th April 1760.

Colonel Howe, three days ago, delivered me Your Letter of the 10.th Instant, Whereby I find, that notwithstanding M.^r Secretary Pitt's Letter, containing His Majesty's disapprobation, of the past Conduct of the Assembly of Maryland, and all Your Endeavors to awaken them into a better Sense of their duty & Gratitude, they still remain deaf to all kind of remonstrance; nothing therefore remains with me, but to transmit a Copy of Your Letter with its Several Enclosures, to M.^r Secretary Pitt, in order to be laid before the King, that His Majesty may order therein as He shall advise; Meanwhile I must not omit Assuring You, that I have not the least Doubt but You have done every thing in Your Power to prevail on the Assembly to Act a More Wise & dutifull Part.

I am, with great regard,

Sir,

Your most Obedient
Humble Servant
Jeff Amherst

MSS.
Archives
of Md.
Portfolio
No. 4
Letter 35 M
Hall of
Records

Sir,

New York, 11.th May 1761.

I had last Night the favor of receiving Your Letter of the 2.^d Instant. It is with Astonishment that I See, that Your Lower House of Assembly has not been prevailed on to Send up another Supply Bill, than what has been already rejected Eight times, after the Professions they made at the beginning of this Session of their Readiness in Complying with His Majesty's Requisition.

I have nothing now further to say, than that I Shall Report the Contents of Your Letter to M.^r Secretary Pitt by the first Opportunity: I am Sorry Your Endeavours have not met with better Success.

I am, with great Truth,

Sir,

Your most Obedient
Humble Servant.
Jeff: Amherst.

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